

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: August 3, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 6912 North River Drive

INFORMATION:

Item Number: 19

Petitioner: McGraw Property

Property Size:

Zoning: DR-5.5

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing which seeks approval to maintain the first floor elevation of 10.35 ft. for the existing dwelling and the proposed addition in lieu of the 11.20 ft. requirement.

Based upon a review of the information provided, staff defers to the position of DEPRM in this matter.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plan Review Division

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Item No. 019

The Development Plan Review Division has reviewed the subject zoning item. In all cases the lowest floor of any building must be elevated 1 foot above the 100-year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 019 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

96-22504

August 8, 1995

Indicator

SUBJECT: Zoning Item #19 - McGraw Property
6912 North River Drive
Zoning Advisory Committee Meeting of July 31, 1995

Environmental Impact Review

Development of the property must comply with the conditions of the Chesapeake Bay Critical Area administrative variance granted by this Department on July 14, 1995

MCGRW/DEPRM/TXTSBP

2025 RELEASE UNDER E.O. 14176



Baltimore County
Department of Environmental Protection
and Resource Management

Office of the Director
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
(410) 887-3733
Fax: (410) 887-4804

May 1, 1995

Mr. and Mrs. Joseph McGraw
6912 North River Drive
Baltimore, Maryland 21220

Re: 6912 North River Drive
Critical Area Administrative Variance

Dear Mr. and Mrs. McGraw:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a 1,584 square foot addition and second story addition in the 100 foot tidal buffer to Bird River. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires, that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. The size and shape of the lot in relation to the location of the tidal waters as well as the fact that the proposed buffer disturbance is an addition to an existing house create special conditions such that literal enforcement of the regulations would result in unwarranted hardship.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Variance requests involving similar structures and circumstances have previously been granted by this Department. Therefore, literal enforcement of the regulations (i.e., variance denial) would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. As previously stated, similar lands and structures which have been the subject of similar variance requests were granted their respective variances. Therefore, granting this variance will not confer upon you any special privilege that would be denied to other, similar properties.

variance. Therefore, this criterion is met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. Due to the fact that impervious surface area on the lot will decrease, tree cover will increase, and no wetland impact will occur, granting this variance will not significantly degrade water quality, aquatic or terrestrial habitats. Moreover, granting this variance would be consistent with the general spirit and intent of the Critical Area regulations.

Based upon our review, it is this Department's findings that the first four of the above criteria have been met, and that the fifth criterion can be met by adhering to conditions 2 through 5 below. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

1. * The attached "Notice of Granting of Variance" must be published in either The Avenue or The Dundalk Eagle. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement, issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. Eight deciduous trees and four shrubs shall be planted in the buffer. All shall be native species with trees planted 15 to 20 feet on center and shrubs on 8 to 10 foot centers. * A list of suggested species is enclosed.
3. The existing macadam drive shall be replaced with a porous driveway.
4. All downspouts shall discharge to either French drains or pervious surfaces.

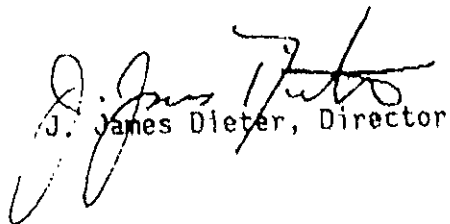
Mr. and Mrs. Joseph McGraw
May 1, 1995
Page 3

- * 5. A revised plot plan incorporating conditions 2 through 4 above as well as the enclosed note regarding buffer disturbance must be submitted to this Department prior to final variance approval.

Please sign the statement below and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department C/O Ms. Patricia M. Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Mr. Glenn E. Shaffer at (410) 887-3980.

Sincerely,


J. James Dieter, Director

JJD/GES/tmm

Enclosures

c: Ms. Lisa A. Hoerger, CBCA Commission
Ms. Patricia M. Farr

I/WE HAVE READ AND AGREE TO IMPLEMENT THE ABOVE REQUIREMENTS TO BRING MY/OUR PROPERTY INTO COMPLIANCE WITH CHESAPEAKE BAY CRITICAL AREA REGULATIONS.

Signature

Date

Signature

Date

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT
NOTICE OF GRANTING OF VARIANCE

ADDRESS: 6912 North River Drive

LEGAL OWNER: Joseph and Marlene McGraw

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 26-445(c) of the Baltimore County Code, hereby gives notice that a variance from Section 26-449 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of constructing an addition to an existing house within the 100 foot tidal buffer on the above referenced property. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be mailed to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$75.00 payable to Baltimore County Government.

MCRAW/DEPRM/WQCBCA

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21220

ITEM# 19

TIME: 10:04:11 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1018M
DATE: 07/18/95 APPROVALS DETAIL SCREEN LAST UPDATE 07/13/95
FRH 15:01:07

PERMIT #: B240068

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	07/03/95	10	ALR-1ST 05 7/3-SUBST IMPRVMT-TRY VAR. OF 1' REQMT
ZONING	06/29/95	01	JLL/VLC
PUB SERV	07/10/95	20	RT/LCS/FLOOD ZONE A
ENVRMNT	07/12/95	01	ANE/CBCA-7/12RL
PERMITS			

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

PF4 - ISSUE PERMIT

PF9 - SAVE

CLEAR - MENU

11/18/95 10:04:11

Baltimore County Government
Department of Permits and Licenses

ITEM# 19



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

"05"

July 13, 1995

RESPOND TO: 887-3987
887-3985

Joseph McGraw, Jr.
6912 North River Drive.
Baltimore, MD 21220

Re: PERMIT#: B240068/MRFP
DISTRICT:15
PRECINCT:06
LOCATION:6912 North River Drive.

L. RETTEW - "05" COMMENTS - PLANS REVIEW-PHONE -887-3987-887-3985

THE FOLLOWING COMMENTS REQUIRE REVISED PLANS, OR, WHEN PERMISSIBLE, A LETTER FROM THE DESIGNER OF RECORD INDICATING HOW THE PROBLEMS WILL BE CORRECTED. PLANS OR LETTERS SHALL BE SENT TO THIS OFFICE: " BUILDING PLANS REVIEW DIVISION/PERMITS AND LICENSES, "ROOM 120, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204. COMMENTS FROM OTHER DEPARTMENTS OR AGENCIES SHALL BE RESOLVED DIRECTLY WITH THOSE DEPARTMENTS OR AGENCIES. THANK YOU.

1. Thank you for your revised plans and information. The concept of "substantial improvement" is that the value of the house will be increased by at least 50%. Therefore, while the materials cost is less than 50% of the house value, the equivalent cost of labor must also be considered, as well as the fact that the proposed work is more than twice the square footage of the existing house. However, since the existing first floor is above the 100 year flood plain, yet not the one foot above required by County Codes, we suggest that you contact Zoning above a variance to waive the extra one foot elevation requirement for the existing first floor as well as the proposed first floor. During my absence, you can contact John Reisinger, Buildings Engineer, at 887-3610.

THIS REVIEW COVERS ONLY MAJOR CODE REQUIREMENTS. THE LAW REQUIRES COMPLIANCE WITH ALL CODE PROVISIONS, WHETHER POINTED OUT BY THE REVIEW OR NOT.

cc:Plans Review, Inspection
Folder, File,
Owner: same as above
Filer: same as above

Revised: 5/89

RE: PETITION FOR SPECIAL HEARING
6912 North River Drive, N/S North River
Drive, 39.47' E of c/l Yale Road
15th Election District, 5th Councilmanic

Joseph W. and Marlene R. McGraw, Jr.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-22-SPH
*
*
*
*
*
*
*
*
*
*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Joseph W. and Marlene R. McGraw, Jr., 6912 North River Drive, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

RECEIVED
AUG 14 1995

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DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

JOSEPH W. M^{rs} Graw Jr.

ADDRESS

6912 North River Dr.



Printed with Soybean Ink
on Recycled Paper

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Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 6912 NORTH RIVER DRIVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HAREWOOD PARK

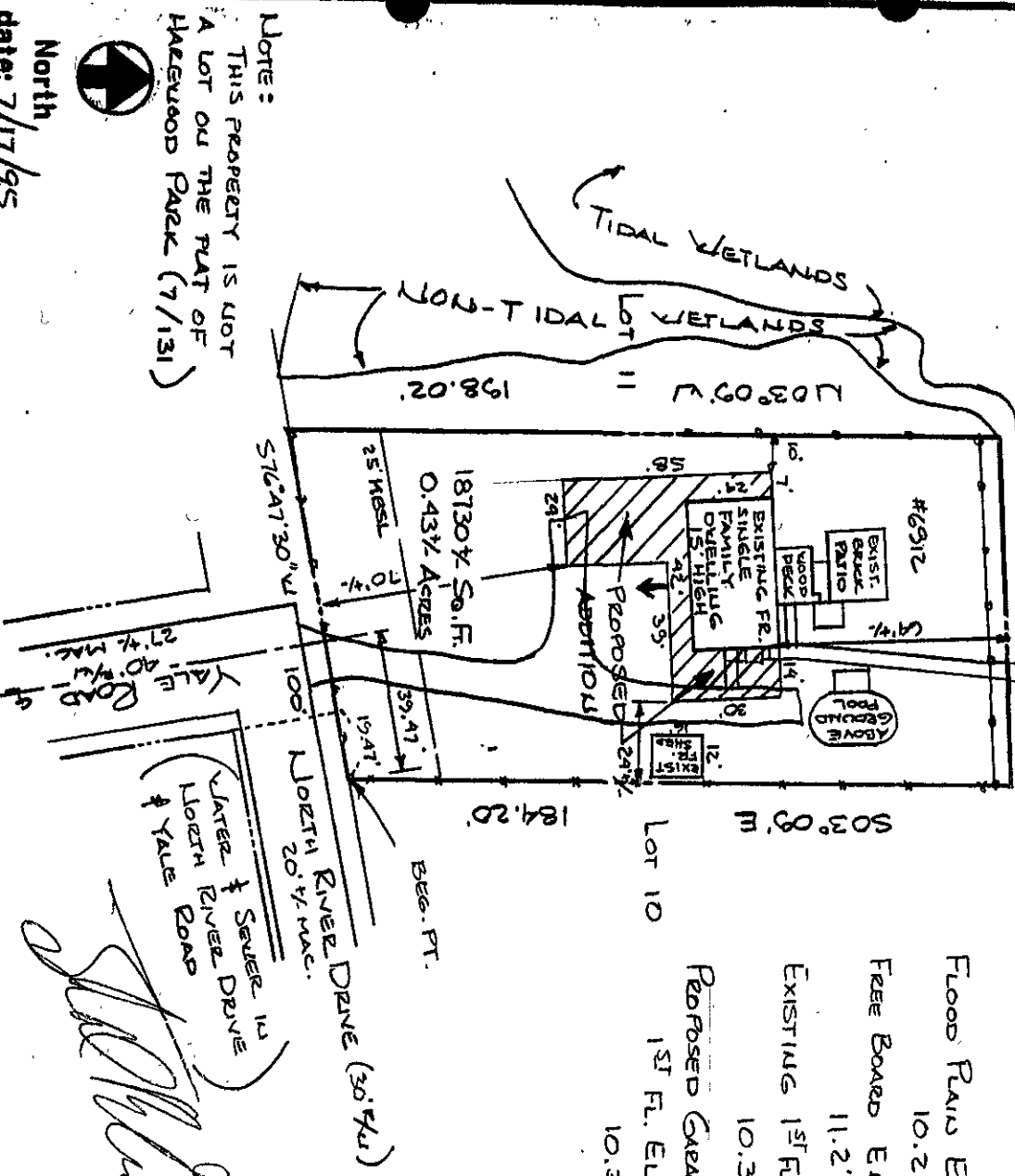
plat book# 7, folio# 131, lot# 2/A, section# 2/A

96-22-SPH

OWNER: JOSEPH V. MCGRAW, JR. & MARLENE R. MCGRAW

BIRD RIVER

EASTERLY



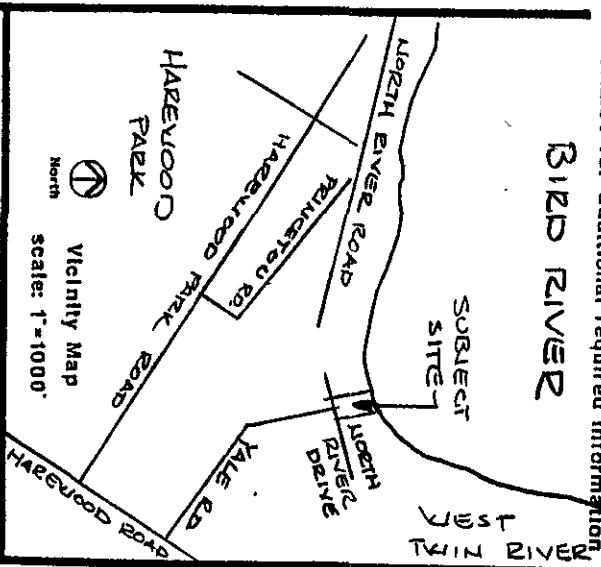
FLOOD PLAIN ELEV. = 10.2'
 FREE BOARD ELEV. = 11.2'
 EXISTING 1ST FL. ELEV. = 10.35'
 PROPOSED GARAGE 1ST FL. ELEV. = 10.35'

NOTE: THIS PROPERTY IS NOT A LOT ON THE PLAT OF HAREWOOD PARK (7/131)



North
 date: 7/17/95
 prepared by: JOSEPH V. MCGRAW, JR. Scale of Drawing: 1" = 50'

[Signature]



LOCATION INFORMATION

Election District: 15TH
 Councilmanic District: 5TH
 1"=200' scale map#: N.E. 8-L
 Zoning: D.R. S.S
 Lot size: 0.434¹/₄ 18,730¹/₄ acreage square feet

SEWER: ☒ public ☐ private
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☒ ☐
 Prior Zoning Hearings: None

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:
 R.T. 19

IN RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of
Cape May Road
(404 Katherine Avenue)
15th Election District
5th Councilmanic District

Daniel D. Goral and
Kimberly R. Bleakley -
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-23-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 404 Katherine Avenue, located northeast of the intersection of Back River Neck Road and Cape May Road in Essex. The Petition was filed by the owners of the property, Daniel D. Goral and Kimberly R. Bleakley, in response to a complaint filed by an adjoining property owner as to the number of recreational vehicles stored on their property. The Petitioners seek relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted. The subject property and relief sought are more particularly described on the site plan which was submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Daniel Goral and Kimberly Bleakley, property owners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .25 acres, more or less, zoned D.R. 3.5 and is improved with a single family dwelling. The property is located within the Chesapeake Bay Critical Areas with frontage on Norman Creek. As indicated above, the Petitioners seek relief to store four (4) recreational vehicles on the

ORDER RECEIVED FOR FILING

Date

By

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subject property. Specifically, the Petitioners presently store two boats on their property (one 25 feet in length and the other, a 21-foot Well-craft), a Catamaran Day-Sailer, and a pop-up camper in the rear yard. The 25-foot boat is stored on a lift at the pier during the summer months and then stored on a trailer in the rear yard during the winter. The Petitioners seek approval to continue storing the subject recreational vehicles on their property, in view of the waterfront nature of this lot. Testimony indicated that the storage of watercraft and/or trailers is typical with properties located on or near the water and that strict compliance with the zoning regulations would create an unduly restrict the use of their property. In support of their request, the Petitioners submitted photographs of their property depicting a well-maintained residence and grounds on which the recreational vehicles are stored. Furthermore, the Petitioners submitted a Petition which had been signed by several of their neighbors indicating they have no objections to the Petitioners' storage of more than one recreational vehicle on their property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING

Date

By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Inasmuch as the neighbors who filed the initial complaint failed to appear at the hearing to voice their opposition, and in view of the Petition of support which was signed by the Petitioners' other neighbors, including the adjoining property owners, I am persuaded to grant the relief requested. It was clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public health, safety or general welfare. Furthermore, the Office of Planning and Zoning submitted favorable comments in which they indicated their support of the Petitioners' request for variance. However, I will restrict the relief granted to those recreational vehicles presently owned by the Petitioners and described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that presently permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of September, 1995 that the Petition for Variance seeking relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is limited to the four recreational vehicles described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/2/85
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 7, 1995

(410) 887-4386

Mr. Daniel D. Goral and Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of Cape May Road
(404 Katherine Avenue)
15th Election District - 5th Councilmanic District
Daniel D. Goral and Kimberly R. Bleakley - Petitioners
Case No. 96-23-A

Dear Mr. Goral & Ms. Bleakley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel
File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 404 KATHERINE AVE, Bacto, MD 21221
which is presently zoned _____

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415A.1, 2, 3 - To Allow 2 BOATS w/ TRAILERS, ONE CATAMARAN, ALL OVER 16' LONG, & 1 POP-UP CAMPER, TO BE STORED IN THE REAR OF THE PROPERTY, ON LAND, IN LIEU OF THE ALLOWED 1 RECREATIONAL VEHICLE & 1 BOAT, (SUBJECT TO 415A.3.B.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Since the property in question is waterfront, and the storage of water craft and or trailers is typical with that type of property, undue hardships result when homeowners are restricted to storing only one RV, especially when homeowners may own more than one water craft. The Department of Natural Resources allows four water craft per residential pier. By the nature and type of the property, unusual storage requirements exist for waterfront residents that are not applicable in other parts of the county.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JNA

DATE

7-18-95

#20

ORDER RECEIVED FOR FILING

Date



Printed with Soybean Ink
on Recycled Paper



96-23-A

ZONING DESCRIPTION FOR 404 Katherine Avenue, Baltimore, MD 21221

**Beginning at a point on the Southeast side of a twenty-five foot wide avenue known as Katherine Avenue and at the intersection of lots numbered fifteen and sixteen and running thence Southwesterly of said avenue sixty feet to the division of lots sixteen and seventeen .
Being lot # 16 as recorded in Baltimore County Plat Book # 6, Folio # 177, containing approximately 10,800 square feet or .25 acres. Located in the 15th election district and the 5th**

councilmanic district.

APPROVED
JAN 11 1996

#20

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-23-A

District 11th

Date of Posting 8/7/95

Posted for: Variance

Petitioner: Daniel + Kimberly Blockley

Location of property: 4041 Katherino Ave

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. Steady

Signature

Date of return: 8/12/95

Number of Signs: 1



NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein, in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case 280-22-A
(Item 20)
404 Keltomine Avenue

3/8 Keltomine Avenue, Lot 16, Plat Book 6, Page 177
11th Election District
5th Councilmanic
Legal Owner(s):
Daniel D. Goral and
Kimberly R. Bleakley
Hearing: Thursday,
August 24, 1995 at 9:00
a.m. in Rm. 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.
8/8/95 Aug. 3,

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug. 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

Publisher

TO: PUTUXENT PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Daniel Goral
404 Katherine Avenue
Baltimore, MD 21221
574-5322

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)

404 Katherine Avenue

S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177

11th Election District - 5th Councilmanic

Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley

HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 W. CHESAPEAKE AVENUE
TOWSON, MD 21204
(410) 326-1000

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)

404 Katherine Avenue

S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177

11th Election District - 5th Councilmanic

Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley

HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Daniel Goral and Kimberly Bleakley

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Mr. Daniel D. Goral
Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: Item No.: 20
Case No.: 96-23-A
Petitioner: Goral/Bleakley

Dear Mr. Goral:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MAILED 11/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 7, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 404 Katherine Avenue

INFORMATION:

Item Number: 20

Petitioner: Goral/Bleakley Property

Property Size: _____

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to allow more than one recreational vehicle to be stored on the subject property.

A site visit revealed a very well maintained residential property that appears to be able to accommodate the four recreational vehicles proposed for storage. While staff believes it would be appropriate to grant the variances based on the above-mentioned site visit, it is possible that Katherine Avenue residents could have a different perspective based upon daily and seasonal observation. Provided that no substantive objections are raised, this office recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kenna

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director August 1, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #20 - Goral Property
404 Katherine Avenue
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Storage of recreational vehicles is not regulated under Chesapeake Bay Critical Area regulations.

J
JLP:PF:sp

GORAL/DEPRM/TXTSBP

4776 11/11/95

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22,
23, 24, 25 AND 27.

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

ZADM





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 020 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS AGENDA OF JULY 31, 1995

#18 --- JJS/MJK

1. Receipt not given to petitioner; still in folder.

#20 --- JRA

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

#23 --- CAM

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

#24 --- JLL

1. Folder says RC-5; petition says RC-4. Which is correct?

#25 --- JCM

1. Notary section is incorrect.

#26 --- CAM

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

RE: PETITION FOR VARIANCE
404 Katherine Avenue, S/S Katherine Ave.,
Lot 16, Plat Book 6, Folio 177, 11th
11th Election District, 5th Councilmanic
Daniel D. Goral and Kimberly R. Bleakley
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-23-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

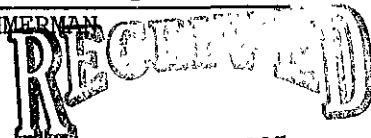
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Daniel D. Goral and Kimberly R. Bleakley, 404 Katherine Avenue, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



AUG 14 1995

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

COMMUNITY PANEL NO.
2400 0445 B
ZONE B" & C"

NORMAN'S CREEK

ZONE A-10

WOOD
BULKHEAD

ZONE "B"

ZONE "C"

LOT 16

BSMT
ENTRANCE

WOOD
PORCH (1ST FLOOR)
CONC BELOW

22.7'

1STY
BRICK &
WOOD
FRAME
DWLG.

53.0'

#404

22.7'

3' C.W.

8'

3' C.W.

12'

MAC. DR.

90'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

210'

213'

MAC. PARKING

SPLIT RAIL FENCE

MICROFILMED

25' R/W
KATHERINE
AVE.

19' MACADAM

DEEP SWLY
(60')
RECORDED PLAT (50')

PLAT OF A PORTION
OF
CAPE MAY
WPC C/177

LOCATION SURVEY
#404 KATHERINE AVE.
15TH ELECTION DISTRICT
BALTIMORE CO., MARYLAND
DEED REF. 6637/615

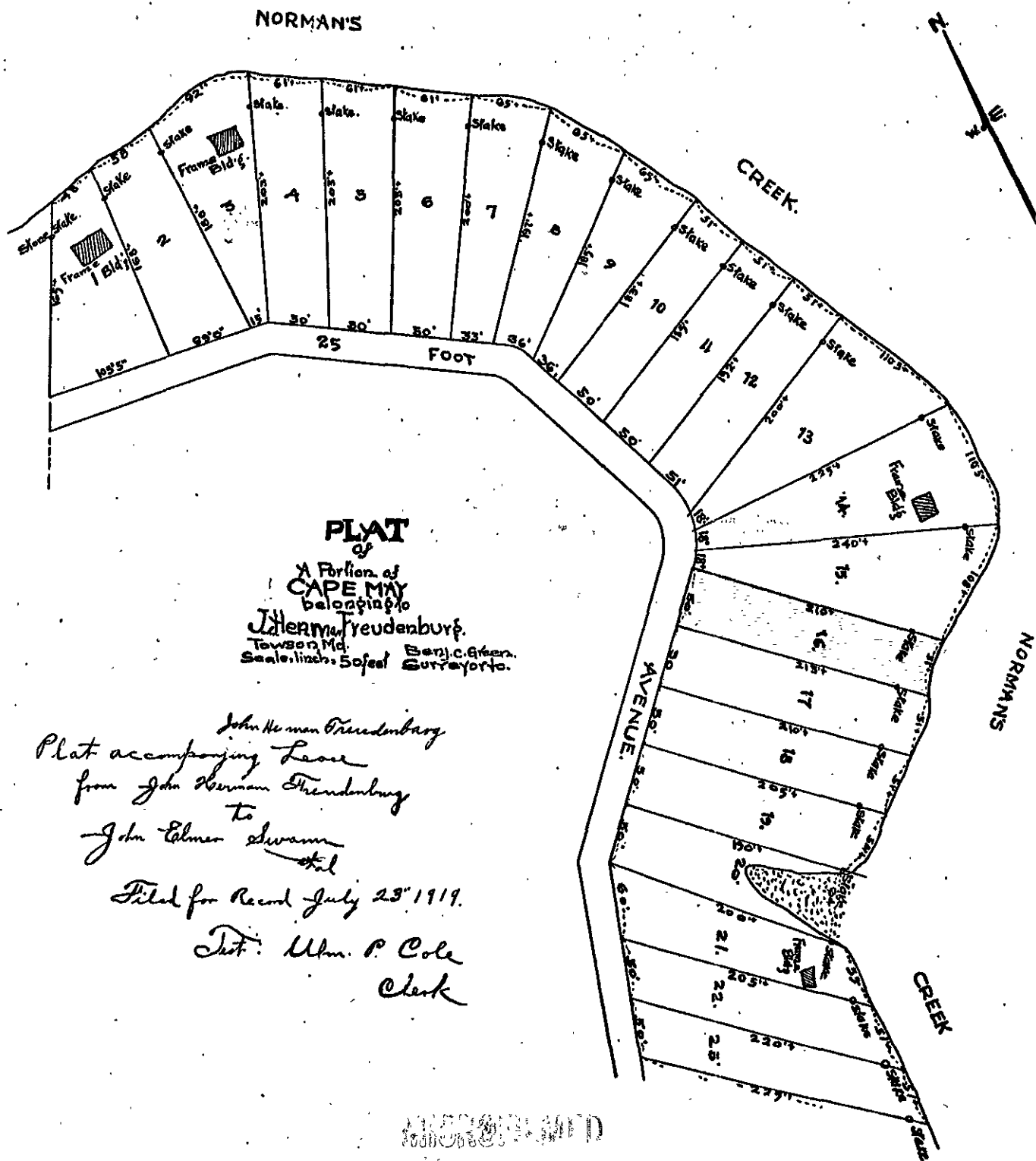
M&H DEVELOPMENT
ENGINEERS, INC.

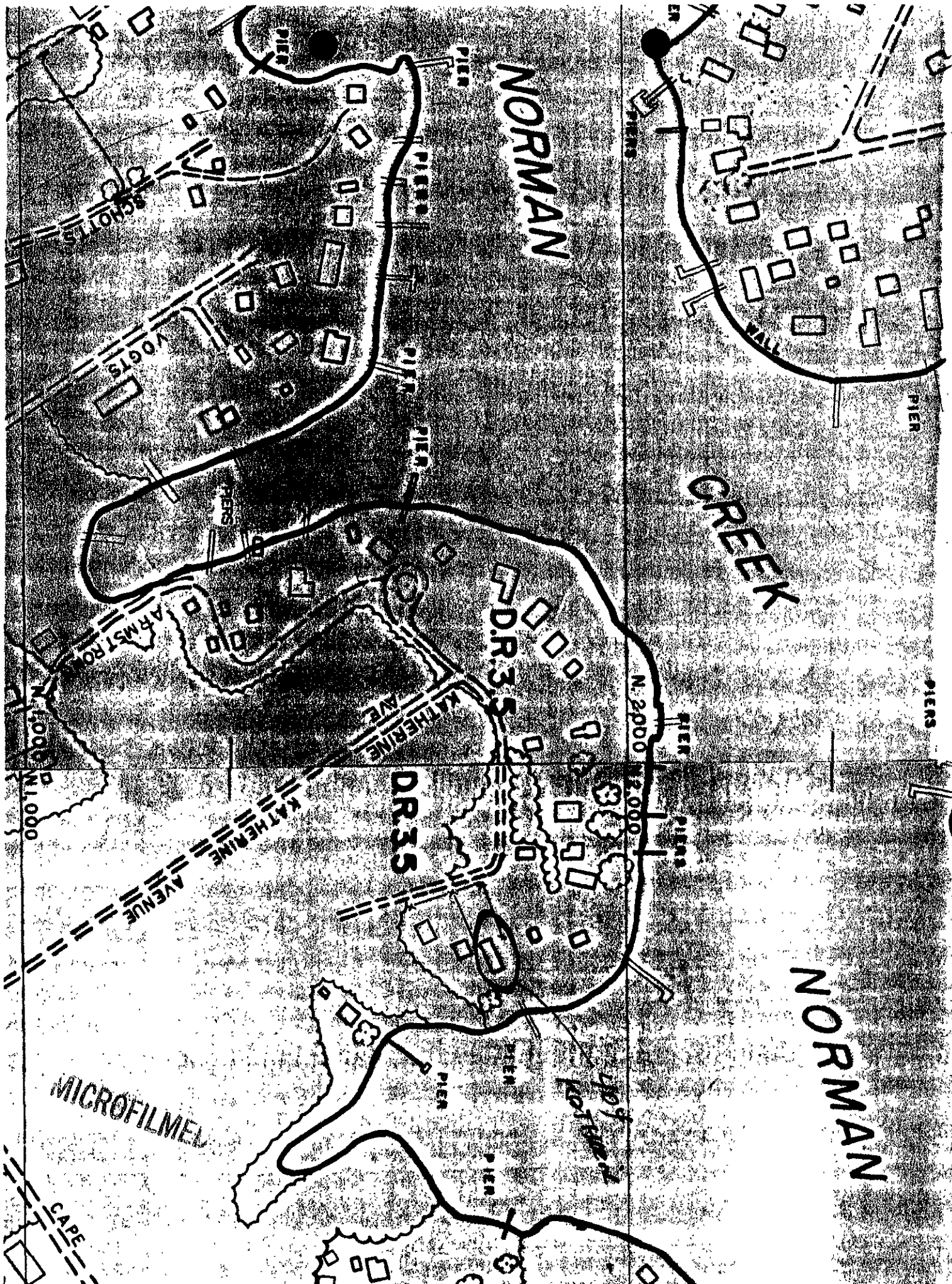
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
(301) 828-9060

I HEREBY CERTIFY THAT THE LOT SHOWN HEREON HAS BEEN
SURVEYED FOR THE PURPOSE OF LOCATING ALL IMPROVEMENTS
AND THAT ALL SUCH IMPROVEMENTS ARE LOCATED AS SHOWN

DRAWN	SURVEYED	CHECKED	SCALE	DATE
V.J.M.	D.T.W	M.E.H.	1"=30'	3/23/92

96-23-A

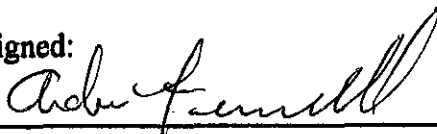




#20

We, the undersigned residents of Katherine Avenue, Baltimore County Maryland, do hereby give testimony that we are neighbors of Daniel D. Goral and Kimberly R. Bleakley and do not object to the storage of more than one boat/ RV. We further acknowledge that the maximum items stored at any time will not exceed two boats, one camper, and a seventeen foot catamaran.

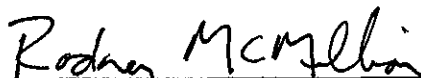
Signed:



Archer Fennell Date:
406 Katherine Avenue
Baltimore, Maryland 21221



Mary Filar Date:
356 Katherine Avenue
Baltimore, Maryland 21221



Rodney McMillion Date:
408 Katherine Avenue
Baltimore, Maryland 21221



Philip Hock Date:
410 Katherine Avenue
Baltimore, Maryland 21221

 7/22/95

Joseph Canatella Date:
412 Katherine Avenue
Baltimore, Maryland 21221

**PETITIONER'S
EXHIBIT NO. 3**

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

Property Address: 404 KATHERINE AVENUE

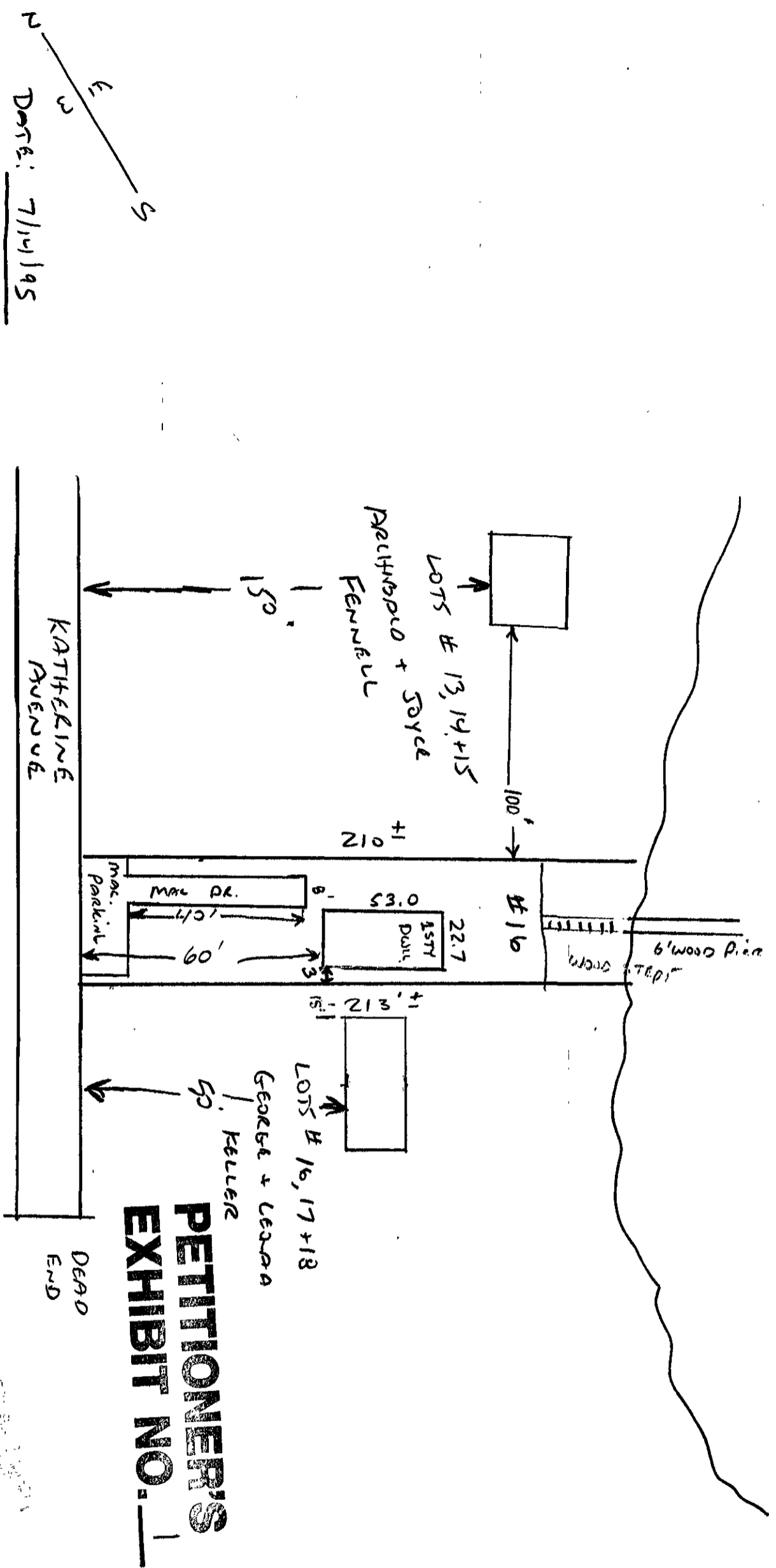
Subdivision Name: CAPE MAY

Plat Book: 6 Folio 177

Owner: Daniel D. Gorel
Kimberly R. Beahler

96-23-A

NORMAN CREEK

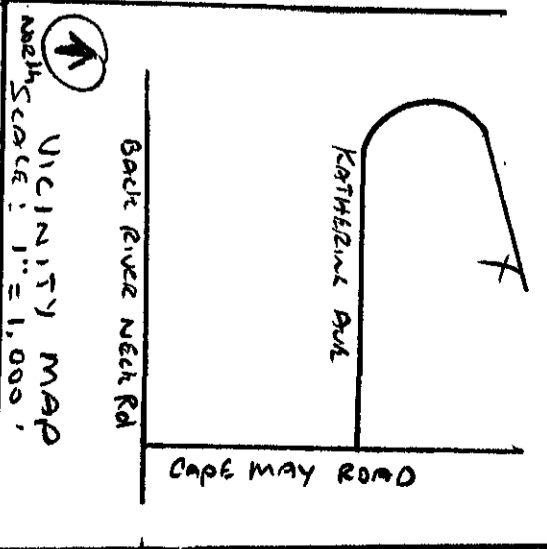


**PETITIONER'S
EXHIBIT NO. 1**

Date: 7/14/95

Prepared by D. Gorel

Scale: 1" = 50'



Location Information		
Councilmanic Dist.	5th	
Election Dist	11th	
1" = 200' scale map	# NE I-5	
Zoning D.R.	3.5	
Lot Size:	10,800 sq ft	
	.25 Acre	
SEWER:	Public	
WATER:	Public	
C.B.C.A	YES	
Period Zoning Hearings:	None	
Zoning Office Use Only:		
Reviewed by:	Item #	Cont #
SM	20	

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

#20.

No.

504
003644

96-23-A

DATE 7-18-95.

ACCOUNT

R-001-G150

DANIEL GORAL.
404 KATHLEEN AVE.

AMOUNT \$

85.00.

RECEIVED
FROM:

Mr. GORAL.

010
080

1 RES. Uta

50

1 SIGN.

35

FOR:

TOTAL

85

0260280321KTCRRC

BA 00101290007-18-95

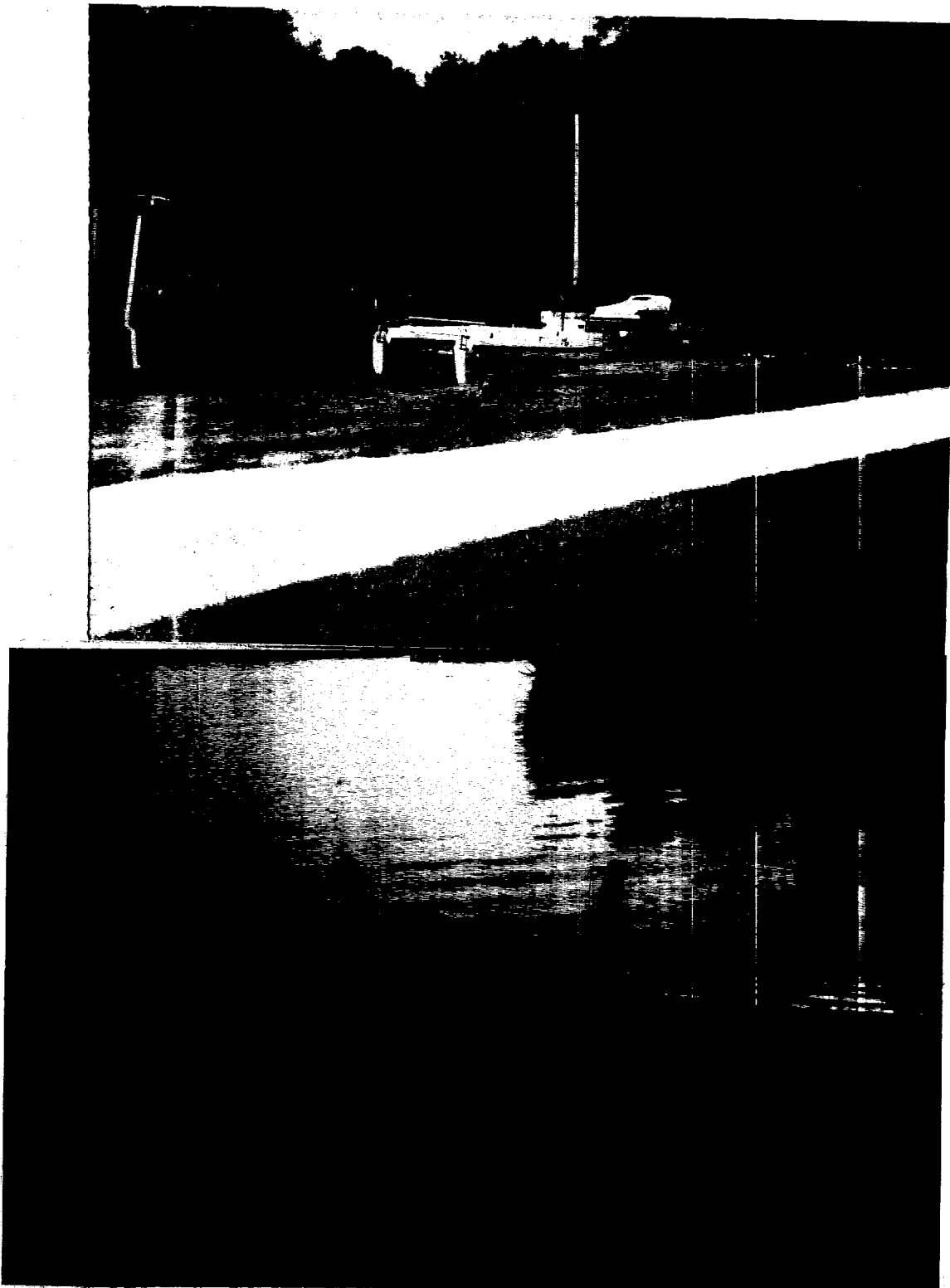
\$85.00

DISTRIBUTION
WHITE - CASHIER

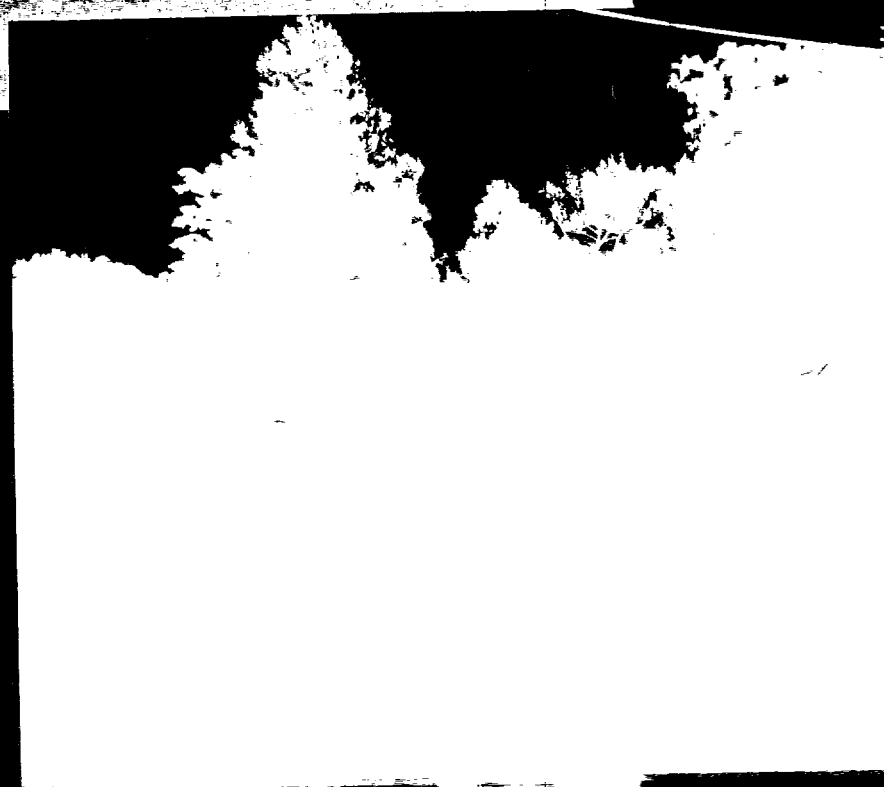
PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



PETITIONER'S
EXHIBIT NO. 2



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: August 3, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 6912 North River Drive

INFORMATION:

Item Number: 19

Petitioner: McGraw Property

Property Size:

Zoning: DR-5.5

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing which seeks approval to maintain the first floor elevation of 10.35 ft. for the existing dwelling and the proposed addition in lieu of the 11.20 ft. requirement.

Based upon a review of the information provided, staff defers to the position of DEPRM in this matter.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plan Review Division

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Item No. 019

The Development Plan Review Division has reviewed the subject zoning item. In all cases the lowest floor of any building must be elevated 1 foot above the 100-year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 019 (RT)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

96-22504

August 8, 1995

Indicator

SUBJECT: Zoning Item #19 - McGraw Property
6912 North River Drive
Zoning Advisory Committee Meeting of July 31, 1995

Environmental Impact Review

JLP:GS:sp

WILLIAM B. BIRD



Baltimore County
Department of Environmental Protection
and Resource Management

Office of the Director
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
(410) 887-3733
Fax: (410) 887-4804

May 1, 1995

Mr. and Mrs. Joseph McGraw
6912 North River Drive
Baltimore, Maryland 21220

Re: 6912 North River Drive
Critical Area Administrative Variance

Dear Mr. and Mrs. McGraw:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a 1,584 square foot addition and second story addition in the 100 foot tidal buffer to Bird River. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires, that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. The size and shape of the lot in relation to the location of the tidal waters as well as the fact that the proposed buffer disturbance is an addition to an existing house create special conditions such that literal enforcement of the regulations would result in unwarranted hardship.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Variance requests involving similar structures and circumstances have previously been granted by this Department. Therefore, literal enforcement of the regulations (i.e., variance denial) would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. As previously stated, similar lands and structures which have been the subject of similar variance requests were granted their respective variances. Therefore, granting this variance will not confer upon you any special privilege that would be denied to other, similar properties.

variance. Therefore, this criterion is met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. Due to the fact that impervious surface area on the lot will decrease, tree cover will increase, and no wetland impact will occur, granting this variance will not significantly degrade water quality, aquatic or terrestrial habitats. Moreover, granting this variance would be consistent with the general spirit and intent of the Critical Area regulations.

Based upon our review, it is this Department's findings that the first four of the above criteria have been met, and that the fifth criterion can be met by adhering to conditions 2 through 5 below. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

1. * The attached "Notice of Granting of Variance" must be published in either The Avenue or The Dundalk Eagle. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement, issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. Eight deciduous trees and four shrubs shall be planted in the buffer. All shall be native species with trees planted 15 to 20 feet on center and shrubs on 8 to 10 foot centers. * A list of suggested species is enclosed.
3. The existing macadam drive shall be replaced with a porous driveway.
4. All downspouts shall discharge to either French drains or pervious surfaces.

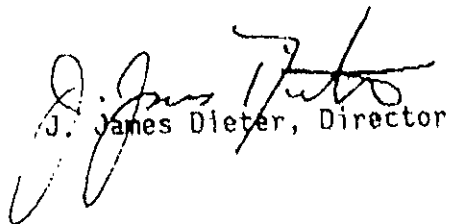
Mr. and Mrs. Joseph McGraw
May 1, 1995
Page 3

- * 5. A revised plot plan incorporating conditions 2 through 4 above as well as the enclosed note regarding buffer disturbance must be submitted to this Department prior to final variance approval.

Please sign the statement below and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department C/O Ms. Patricia M. Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Mr. Glenn E. Shaffer at (410) 887-3980.

Sincerely,


J. James Dieter, Director

JJD/GES/tmm

Enclosures

c: Ms. Lisa A. Hoerger, CBCA Commission
Ms. Patricia M. Farr

I/WE HAVE READ AND AGREE TO IMPLEMENT THE ABOVE REQUIREMENTS TO BRING MY/OUR PROPERTY INTO COMPLIANCE WITH CHESAPEAKE BAY CRITICAL AREA REGULATIONS.

Signature

Date

Signature

Date

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT
NOTICE OF GRANTING OF VARIANCE

ADDRESS: 6912 North River Drive

LEGAL OWNER: Joseph and Marlene McGraw

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 26-445(c) of the Baltimore County Code, hereby gives notice that a variance from Section 26-449 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of constructing an addition to an existing house within the 100 foot tidal buffer on the above referenced property. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be mailed to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$75.00 payable to Baltimore County Government.

MCRAW/DEPRM/WQCBCA

MICROFILMED

21220

ITEM# 19

TIME: 10:04:11 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1018M
DATE: 07/18/95 APPROVALS DETAIL SCREEN LAST UPDATE 07/13/95
FRH 15:01:07

PERMIT #: B240068

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	07/03/95	10	ALR-1ST 05 7/3-SUBST IMPRVMT-TRY VAR. OF 1' REQMT
ZONING	06/29/95	01	JLL/VLC
PUB SERV	07/10/95	20	RT/LCS/FLOOD ZONE A
ENVRMNT	07/12/95	01	ANE/CBCA-7/12RL
PERMITS			

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

PF4 - ISSUE PERMIT

PF9 - SAVE

CLEAR - MENU

07/18/95 10:04:11

Baltimore County Government
Department of Permits and Licenses

ITEM# 19



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

"05"

July 13, 1995

RESPOND TO: 887-3987
887-3985

Joseph McGraw, Jr.
6912 North River Drive.
Baltimore, MD 21220

Re: PERMIT#: B240068/MRFP
DISTRICT:15
PRECINCT:06
LOCATION:6912 North River Drive.

L. RETTEW -"05" COMMENTS - PLANS REVIEW-PHONE -887-3987-887-3985

THE FOLLOWING COMMENTS REQUIRE REVISED PLANS, OR, WHEN PERMISSIBLE, A LETTER FROM THE DESIGNER OF RECORD INDICATING HOW THE PROBLEMS WILL BE CORRECTED. PLANS OR LETTERS SHALL BE SENT TO THIS OFFICE: " BUILDING PLANS REVIEW DIVISION/PERMITS AND LICENSES, "ROOM 120, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204. COMMENTS FROM OTHER DEPARTMENTS OR AGENCIES SHALL BE RESOLVED DIRECTLY WITH THOSE DEPARTMENTS OR AGENCIES. THANK YOU.

1. Thank you for your revised plans and information. The concept of "substantial improvement" is that the value of the house will be increased by at least 50%. Therefore, while the materials cost is less than 50% of the house value, the equivalent cost of labor must also be considered, as well as the fact that the proposed work is more than twice the square footage of the existing house. However, since the existing first floor is above the 100 year flood plain, yet not the one foot above required by County Codes, we suggest that you contact Zoning above a variance to waive the extra one foot elevation requirement for the existing first floor as well as the proposed first floor. During my absence, you can contact John Reisinger, Buildings Engineer, at 887-3610.

THIS REVIEW COVERS ONLY MAJOR CODE REQUIREMENTS. THE LAW REQUIRES COMPLIANCE WITH ALL CODE PROVISIONS, WHETHER POINTED OUT BY THE REVIEW OR NOT.

cc:Plans Review, Inspection
Folder, File,
Owner: same as above
Filer: same as above

Revised: 5/89

RE: PETITION FOR SPECIAL HEARING
6912 North River Drive, N/S North River
Drive, 39.47' E of c/l Yale Road
15th Election District, 5th Councilmanic

Joseph W. and Marlene R. McGraw, Jr.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-22-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Joseph W. and Marlene R. McGraw, Jr., 6912 North River Drive, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

RECEIVED
AUG 14 1995

MICROFILMED

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

JOSEPH W. M^{rs} Graw Jr.

ADDRESS

6912 North River Dr.



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 6912 NORTH RIVER DRIVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HAREWOOD PARK

plat book# 7, folio# 131, lot# 2/A, section# 2/A

96-22-SPH

OWNER: JOSEPH V. MCGRAW, JR. & MARLENE R. MCGRAW

BIRD RIVER

EASTERLY

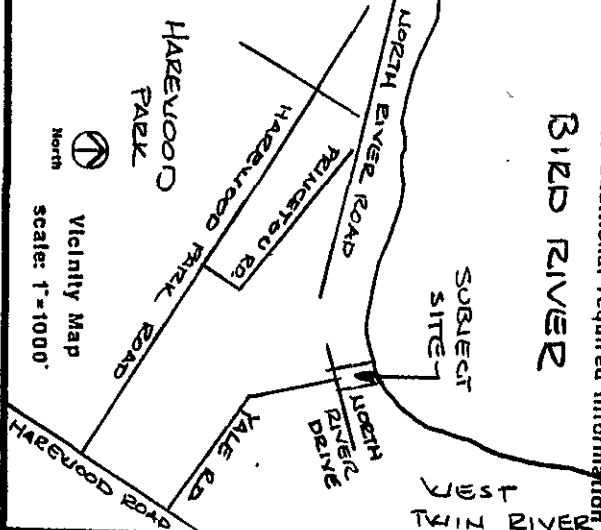
98.76'

FLOOD PLAIN ELEV. = 10.2'

FREE BOARD ELEV. = 11.2'

EXISTING 1ST FL. ELEV. = 10.35'

PROPOSED GARAGE 1ST FL. ELEV. = 10.35'



LOCATION INFORMATION

Election District: 15TH

Councilmanic District: 5TH

1"=200' scale map#: N.E. 8-L

Zoning: D.R. S.S

Lot size: 0.434 ACRES 18,730⁺ square feet

acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings:

None

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:

R.T.

19



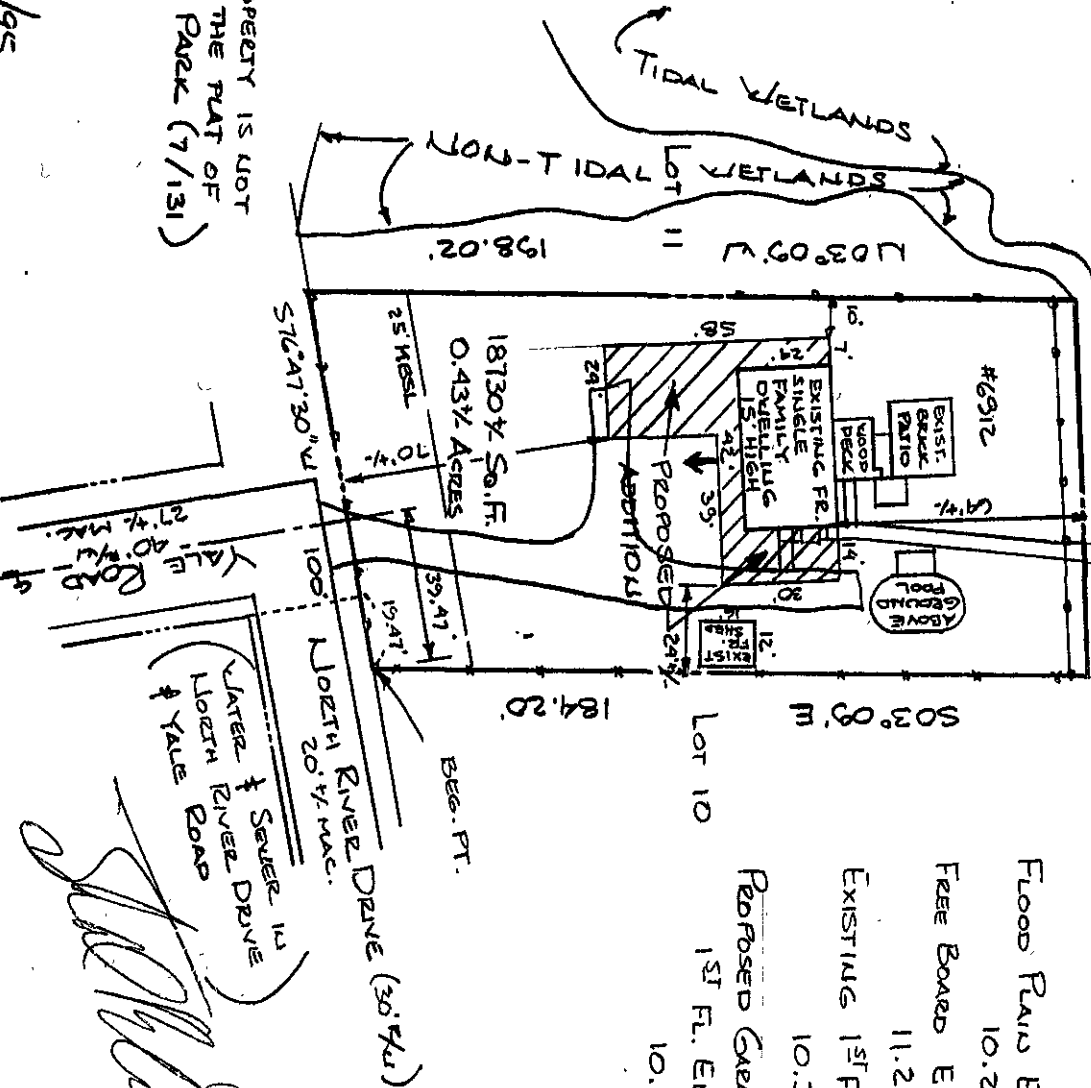
North

date: 7/17/95

prepared by: JOSEPH V. MCGRAW, JR. Scale of Drawing: 1"= 50'

NOTE:

THIS PROPERTY IS NOT A LOT ON THE PLAT OF HAREWOOD PARK (7/131)



IN RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of
Cape May Road
(404 Katherine Avenue)
15th Election District
5th Councilmanic District

Daniel D. Goral and
Kimberly R. Bleakley -
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-23-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 404 Katherine Avenue, located northeast of the intersection of Back River Neck Road and Cape May Road in Essex. The Petition was filed by the owners of the property, Daniel D. Goral and Kimberly R. Bleakley, in response to a complaint filed by an adjoining property owner as to the number of recreational vehicles stored on their property. The Petitioners seek relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted. The subject property and relief sought are more particularly described on the site plan which was submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Daniel Goral and Kimberly Bleakley, property owners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .25 acres, more or less, zoned D.R. 3.5 and is improved with a single family dwelling. The property is located within the Chesapeake Bay Critical Areas with frontage on Norman Creek. As indicated above, the Petitioners seek relief to store four (4) recreational vehicles on the

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

subject property. Specifically, the Petitioners presently store two boats on their property (one 25 feet in length and the other, a 21-foot Well-craft), a Catamaran Day-Sailer, and a pop-up camper in the rear yard. The 25-foot boat is stored on a lift at the pier during the summer months and then stored on a trailer in the rear yard during the winter. The Petitioners seek approval to continue storing the subject recreational vehicles on their property, in view of the waterfront nature of this lot. Testimony indicated that the storage of watercraft and/or trailers is typical with properties located on or near the water and that strict compliance with the zoning regulations would create an unduly restrict the use of their property. In support of their request, the Petitioners submitted photographs of their property depicting a well-maintained residence and grounds on which the recreational vehicles are stored. Furthermore, the Petitioners submitted a Petition which had been signed by several of their neighbors indicating they have no objections to the Petitioners' storage of more than one recreational vehicle on their property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING

Date

By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Inasmuch as the neighbors who filed the initial complaint failed to appear at the hearing to voice their opposition, and in view of the Petition of support which was signed by the Petitioners' other neighbors, including the adjoining property owners, I am persuaded to grant the relief requested. It was clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public health, safety or general welfare. Furthermore, the Office of Planning and Zoning submitted favorable comments in which they indicated their support of the Petitioners' request for variance. However, I will restrict the relief granted to those recreational vehicles presently owned by the Petitioners and described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that presently permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of September, 1995 that the Petition for Variance seeking relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is limited to the four recreational vehicles described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/2/85
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 7, 1995

(410) 887-4386

Mr. Daniel D. Goral and Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of Cape May Road
(404 Katherine Avenue)
15th Election District - 5th Councilmanic District
Daniel D. Goral and Kimberly R. Bleakley - Petitioners
Case No. 96-23-A

Dear Mr. Goral & Ms. Bleakley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel
File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 404 KATHERINE AVE, Bacto, MD 21221
which is presently zoned _____

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415A.1, 2, 3 - To Allow 2 BOATS
W/ TRAILERS, ONE CATAMARAN, ALL OVER 16' LONG, & 1 POP-UP CAMPER,
TO BE STORED IN THE REAR OF THE PROPERTY, ON LAND, IN LIEU OF THE
ALLOWED 1 RECREATIONAL VEHICLE & 1 BOAT, (SUBJECT TO 415A.3.B.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Since the property in question is waterfront, and the storage of water craft and or trailers is typical with that type of property, undue hardships result when homeowners are restricted to storing only one RV, especially when homeowners may own more than one water craft. The Department of Natural Resources allows four water craft per residential pier. By the nature and type of the property, unusual storage requirements exist for waterfront residents that are not applicable in other parts of the county.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JNA

DATE

7-18-95.

#20

ORDER RECEIVED FOR FILING

Date



Printed with Soybean Ink
on Recycled Paper



96-23-A

ZONING DESCRIPTION FOR 404 Katherine Avenue, Baltimore, MD 21221

**Beginning at a point on the Southeast side of a twenty-five foot wide avenue known as Katherine Avenue and at the intersection of lots numbered fifteen and sixteen and running thence Southwesterly of said avenue sixty feet to the division of lots sixteen and seventeen .
Being lot # 16 as recorded in Baltimore County Plat Book # 6, Folio # 177, containing approximately 10,800 square feet or .25 acres. Located in the 15th election district and the 5th**

councilmanic district.

APPROVED
JAN 11 1996

#20

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-23-A

District 11th

Date of Posting 8/7/95

Posted for: Variance

Petitioner: Daniel + Kimberly Blockley

Location of property: 4041 Katherino Ave

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. Steady

Signature

Date of return: 8/12/95

Number of Signs: 1



NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein, in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case 280-22-A

(Item 20)

404 Kilmarnock Avenue

3/8 Kilmarnock Avenue, Lot

16, Plat Book 6, Page 177

11th Election District

5th Councilmanic

Legal Owner(s):

Daniel D. Goral and

Kimberly R. Bleakley

Hearing: Thursday,

August 24, 1995 at 9:00

a.m. in Rm. 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.
8/87 Aug. 3

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug. 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

Publisher

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Daniel Goral
404 Katherine Avenue
Baltimore, MD 21221
574-5322

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)

404 Katherine Avenue

S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177

11th Election District - 5th Councilmanic

Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley

HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

11/11/95 12:00 PM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)

404 Katherine Avenue

S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177

11th Election District - 5th Councilmanic

Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley

HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Daniel Goral and Kimberly Bleakley

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Mr. Daniel D. Goral
Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: Item No.: 20
Case No.: 96-23-A
Petitioner: Goral/Bleakley

Dear Mr. Goral:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MAILED 11/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 7, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 404 Katherine Avenue

INFORMATION:

Item Number: 20

Petitioner: Goral/Bleakley Property

Property Size: _____

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to allow more than one recreational vehicle to be stored on the subject property.

A site visit revealed a very well maintained residential property that appears to be able to accommodate the four recreational vehicles proposed for storage. While staff believes it would be appropriate to grant the variances based on the above-mentioned site visit, it is possible that Katherine Avenue residents could have a different perspective based upon daily and seasonal observation. Provided that no substantive objections are raised, this office recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kenna

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director August 1, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #20 - Goral Property
404 Katherine Avenue
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Storage of recreational vehicles is not regulated under Chesapeake Bay Critical Area regulations.

J
JLP:PF:sp

GORAL/DEPRM/TXTSBP

4776 11/11/95

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22,
23, 24, 25 AND 27.

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 020 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS AGENDA OF JULY 31, 1995

#18 --- JJS/MJK

1. Receipt not given to petitioner; still in folder.

#20 --- JRA

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

#23 --- CAM

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

#24 --- JLL

1. Folder says RC-5; petition says RC-4. Which is correct?

#25 --- JCM

1. Notary section is incorrect.

#26 --- CAM

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

RE: PETITION FOR VARIANCE
404 Katherine Avenue, S/S Katherine Ave.,
Lot 16, Plat Book 6, Folio 177, 11th
11th Election District, 5th Councilmanic
Daniel D. Goral and Kimberly R. Bleakley
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-23-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

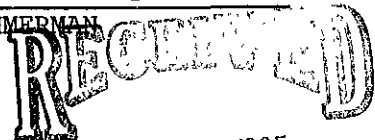
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Daniel D. Goral and Kimberly R. Bleakley, 404 Katherine Avenue, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



AUG 14 1995

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

COMMUNITY PANEL NO.
2400 0445 B
ZONE B" & C"

NORMAN'S CREEK

ZONE A-10

WOOD
BULKHEAD

51'±

WOOD
STEPS

ZONE "B"

ZONE "C"

LOT 16

BSMT
ENTRANCE

WOOD
PORCH (1ST FLOOR)
CONC BELOW

22.7'

1STY
BRICK &
WOOD
FRAME
DWLG.

53.0'

#404

22.7'

3'± C.W.

213'±

SELY

±
210'

NWLY

MAC. DR.

MAC. PARKING

SPLIT RAIL FENCE

MICROFILMED

PLAT OF A PORTION
OF
CAPE MAY
WPC C/177

LOCATION SURVEY
#404 KATHERINE AVE.
15TH ELECTION DISTRICT
BALTIMORE CO., MARYLAND
DEED REF. 6637/615

25' R/W
KATHERINE
AVE.

19' MACADAM

DEEP SWLY
(60')
RECORDED PLAT (50')

LV-1453

I HEREBY CERTIFY THAT THE LOT SHOWN HEREON HAS BEEN
SURVEYED FOR THE PURPOSE OF LOCATING ALL IMPROVEMENTS
AND THAT ALL SUCH IMPROVEMENTS ARE LOCATED AS SHOWN

M&H DEVELOPMENT
ENGINEERS, INC.

200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
(301) 828-9060

DRAWN

V.J.M.

SURVEYED

D.T.W

CHECKED

M.E.H.

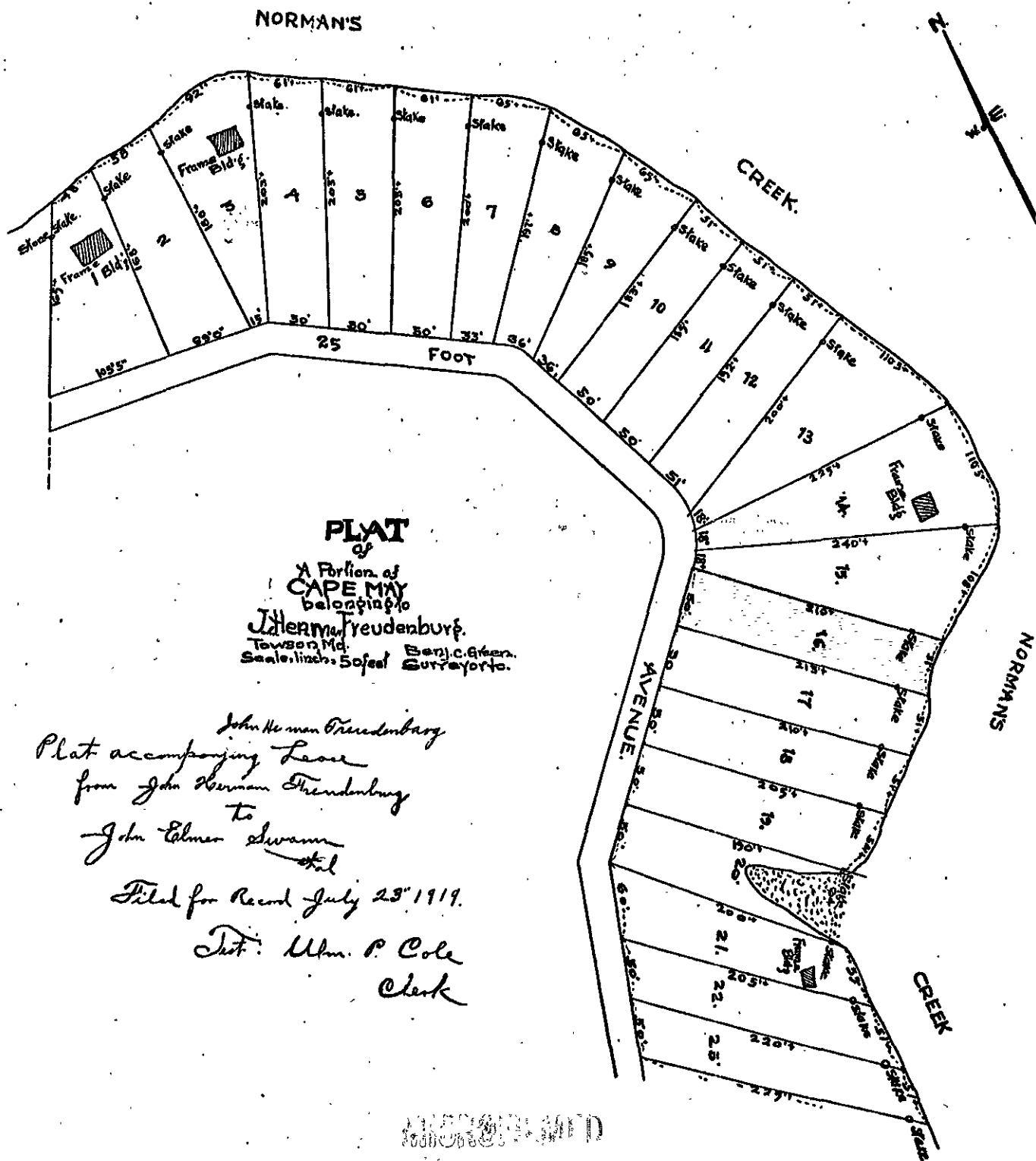
SCALE

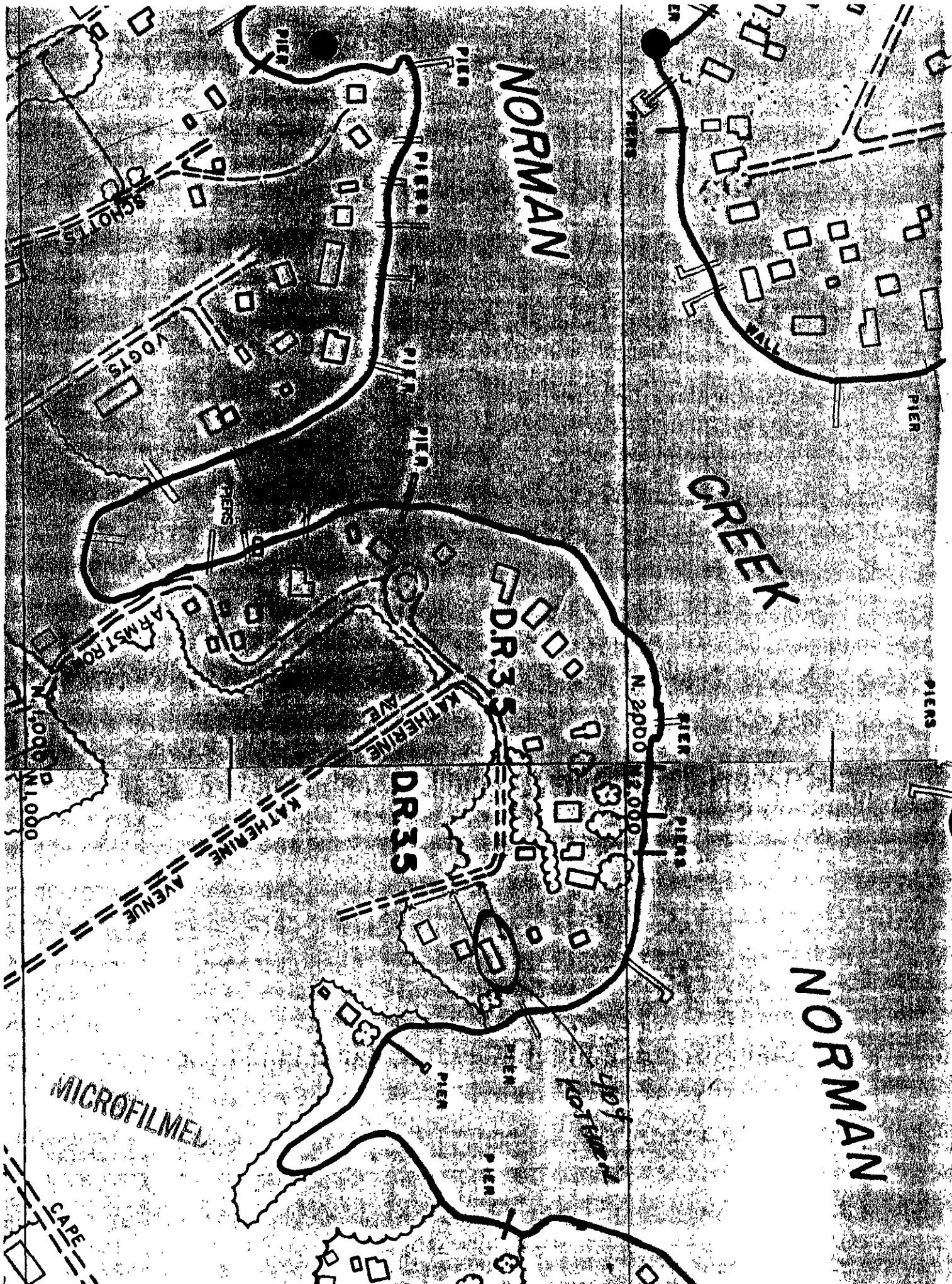
1"=30'

DATE

3/23/92

96-23-A

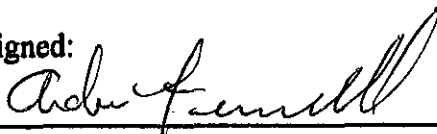




#20

We, the undersigned residents of Katherine Avenue, Baltimore County Maryland, do hereby give testimony that we are neighbors of Daniel D. Goral and Kimberly R. Bleakley and do not object to the storage of more than one boat/ RV. We further acknowledge that the maximum items stored at any time will not exceed two boats, one camper, and a seventeen foot catamaran.

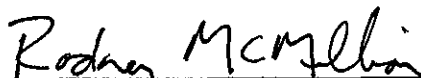
Signed:



Archer Fennell Date:
406 Katherine Avenue
Baltimore, Maryland 21221



Mary Filar Date:
356 Katherine Avenue
Baltimore, Maryland 21221



Rodney McMillion Date:
408 Katherine Avenue
Baltimore, Maryland 21221



Philip Hock Date:
410 Katherine Avenue
Baltimore, Maryland 21221

 7/22/95

Joseph Canatella Date:
412 Katherine Avenue
Baltimore, Maryland 21221

**PETITIONER'S
EXHIBIT NO. 3**

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

Property Address: 404 KATHERINE AVENUE

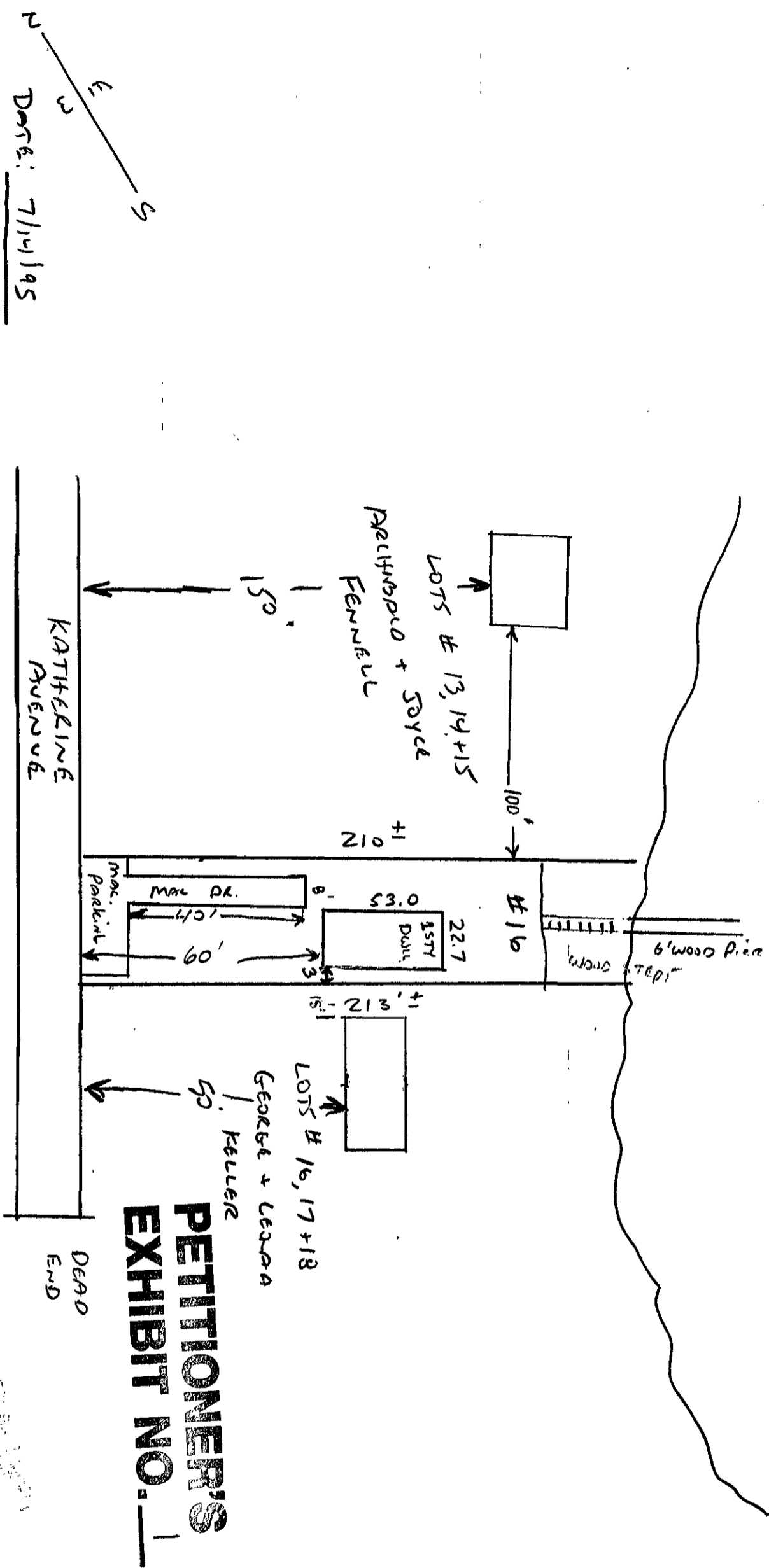
Subdivision Name: CAPE MAY

Plat Book: 6 Folio 177

Owner: Daniel D. Gorel
Kimberly R. Beahler

96-23-A

NORMAN CREEK

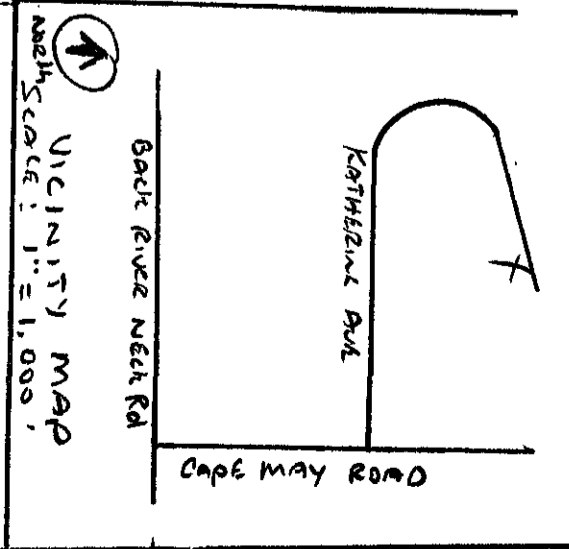


PETITIONER'S
EXHIBIT NO. 1

Date: 7/14/95

Prepared by D. Gorel

Scale: 1" = 50'



Location Information		
Councilmanic Dist.	5th	
Election Dist	11th	
1" = 200' scale map	# NE I-5	
Zoning D.R.	3.5	
Lot Size:	10,800 sq ft	
	.25 Acre	
SEWER:	Public	
WATER:	Public	
C.B.C.A	YES	
Period Zoning Hearings:	None	
Zoning Office Use Only:		
Reviewed by:	Item #	Cont #
SM	20	

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

#20.

No.

504
003644

96-23-A

DATE 7-18-95.

ACCOUNT

R-001-G150

DANIEL GORAL.
404 KATHLEEN AVE.

AMOUNT \$

85.00.

RECEIVED
FROM:

Mr. GORAL.

010
080

1 RES. Uta

50

1 SIGN.

35

FOR:

TOTAL

85

0260280321KTCRRC

BA 00101290007-18-95

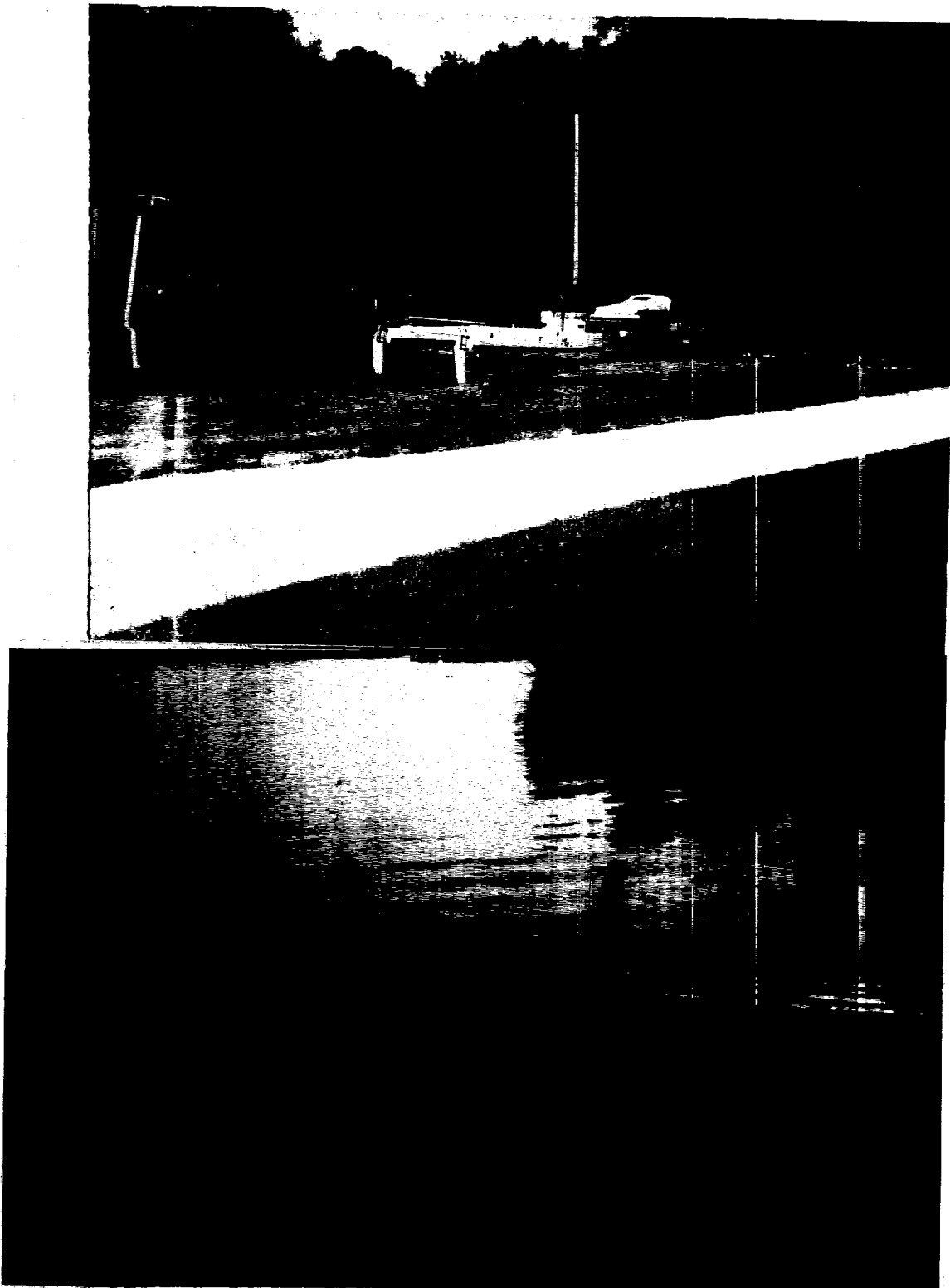
\$85.00

DISTRIBUTION
WHITE - CASHIER

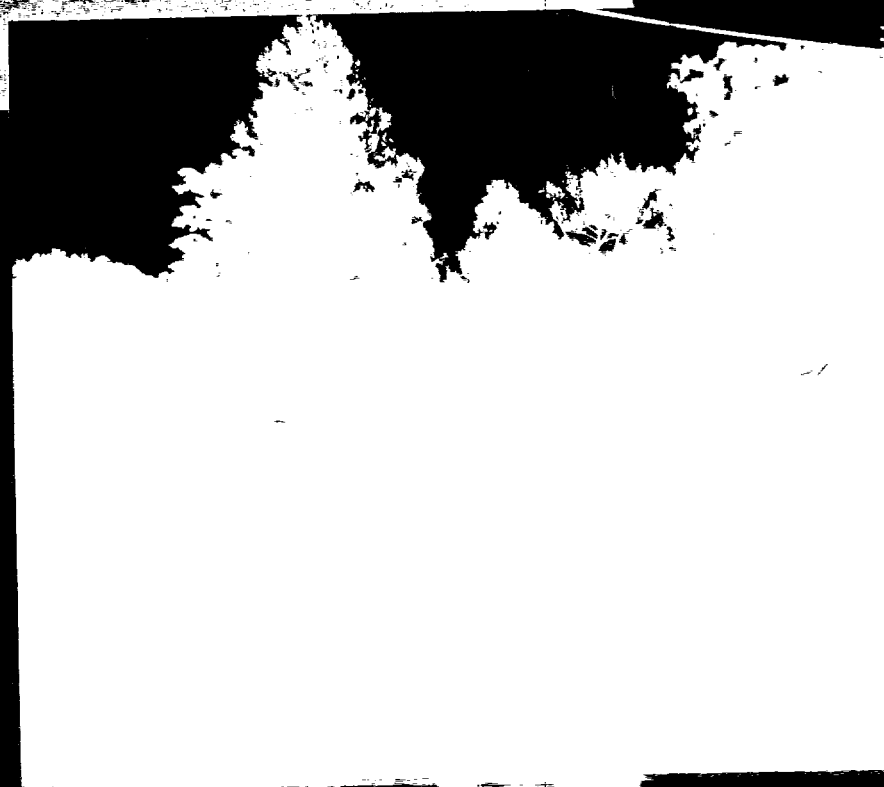
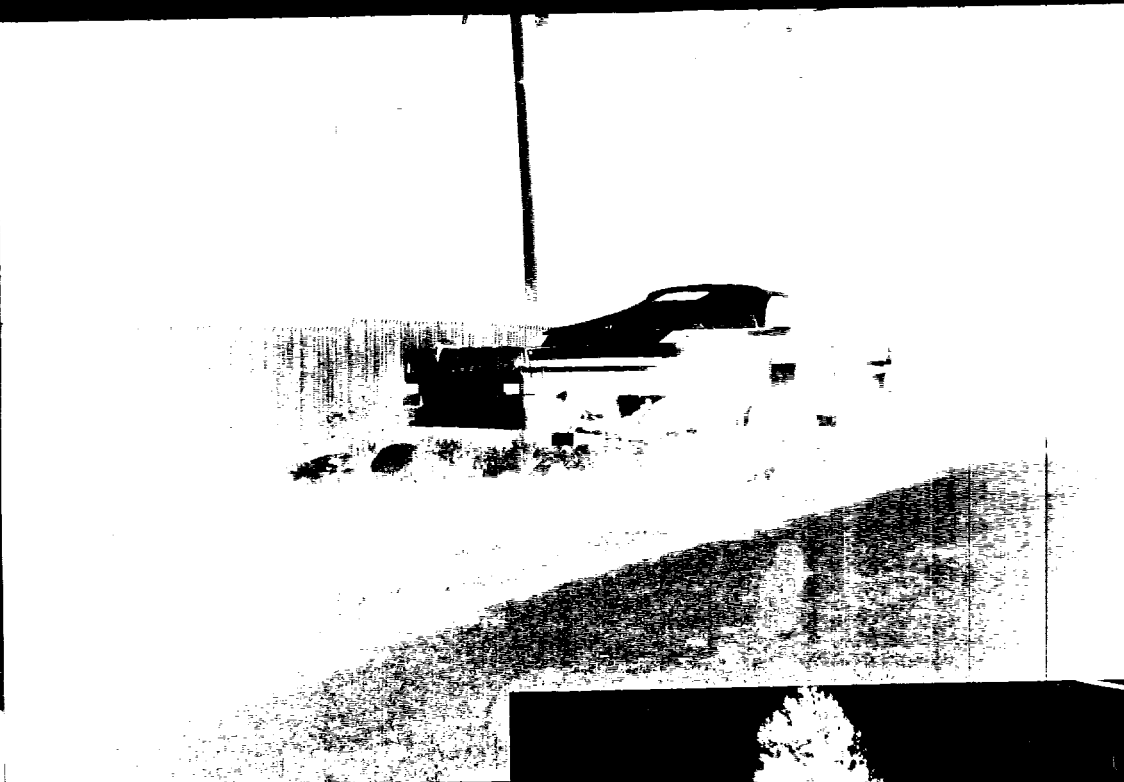
PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



PETITIONER'S
EXHIBIT NO. 2



IN RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of
Cape May Road
(404 Katherine Avenue)
15th Election District
5th Councilmanic District
Daniel D. Goral and
Kimberly R. Bleakley -
Petitioners
* * * * *

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-23-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 404 Katherine Avenue, located northeast of the intersection of Back River Neck Road and Cape May Road in Essex. The Petition was filed by the owners of the property, Daniel D. Goral and Kimberly R. Bleakley, in response to a complaint filed by an adjoining property owner as to the number of recreational vehicles stored on their property. The Petitioners seek relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted. The subject property and relief sought are more particularly described on the site plan which was submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Daniel Goral and Kimberly Bleakley, property owners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .25 acres, more or less, zoned D.R. 3.5 and is improved with a single family dwelling. The property is located within the Chesapeake Bay Critical Areas with frontage on Norman Creek. As indicated above, the Petitioners seek relief to store four (4) recreational vehicles on the

subject property. Specifically, the Petitioners presently store two boats on their property (one 25 feet in length and the other, a 21-foot Well-craft), a Catamaran Day-Sailer, and a pop-up camper in the rear yard. The 25-foot boat is stored on a lift at the pier during the summer months and then stored on a trailer in the rear yard during the winter. The Petitioners seek approval to continue storing the subject recreational vehicles on their property, in view of the waterfront nature of this lot. Testimony indicated that the storage of watercraft and/or trailers is typical with properties located on or near the water and that strict compliance with the zoning regulations would create an unduly restrict the use of their property. In support of their request, the Petitioners submitted photographs of their property depicting a well-maintained residence and grounds on which the recreational vehicles are stored. Furthermore, the Petitioners submitted a Petition which had been signed by several of their neighbors indicating they have no objections to the Petitioners' storage of more than one recreational vehicle on their property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Inasmuch as the neighbors who filed the initial complaint failed to appear at the hearing to voice their opposition, and in view of the Petition of support which was signed by the Petitioners' other neighbors, including the adjoining property owners, I am persuaded to grant the relief requested. It was clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public health, safety or general welfare. Furthermore, the Office of Planning and Zoning submitted favorable comments in which they indicated their support of the Petitioners' request for variance. However, I will restrict the relief granted to those recreational vehicles presently owned by the Petitioners and described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that presently permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of September, 1995 that the Petition for Variance seeking relief from Sections 415.A.1, 2 and 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) boats with trailers and one (1) catamaran, all over 16 feet in length, and one (1) Pop-up camper, to be stored in the rear yard of the subject property in lieu of the one (1) recreational vehicle permitted, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If and appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to the four recreational vehicles described herein. In the event the Petitioners wish to replace any of those recreational vehicles with one larger than that permitted, then a Petition for Special Hearing must be filed to determine its appropriateness.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/14/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/14/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/14/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 7, 1995

(410) 887-4386

Mr. Daniel D. Goral and Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
S/S Katherine Avenue, W of Cape May Road
(404 Katherine Avenue)
15th Election District - 5th Councilmanic District
Daniel D. Goral and Kimberly R. Bleakley - Petitioners
Case No. 96-23-A

Dear Mr. Goral & Ms. Bleakley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel
File



CRITICAL Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 404 KATHERINE AVE., Bkts. MD 21221
which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415.A.1, 2, 3 - 6 ALLOW 2 BOATS w/ TRAILERS, ONE CATAMARAN, ALL OVER 16' LONG, & 1 POP-UP CAMPER, TO BE STORED IN THE REAR OF THE PROPERTY (2 LOTS), IN LIEU OF THE ALLOWED 1 RECREATIONAL VEHICLE & 1 BOAT, (SUBJECT TO 415.A.1, 2, 3.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Since the property in question is waterfront, and the storage of water craft and/or trailers is typical with that type of property, undue hardships result when homeowners are restricted to storing only one RV, especially when homeowners may own more than one water craft. The Department of Natural Resources allows four water craft per residential pier. By the nature and type of the property, unusual storage requirements exist for waterfront residents that are not applicable in other parts of the county.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease
(Type or Print Name)
Signature
Address
City State Zip
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zip

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s)
Daniel D. Goral
(Type or Print Name)
Signature
Kimberly R. Bleakley
(Type or Print Name)
Signature
Kimberly R. Bleakley
(Type or Print Name)
Address
404 KATHERINE AVE
City
Bkts, MD
State
21221
Zip

ORDER RECEIVED FOR FILING
Date 9/14/95
By [Signature]

ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date: Next Two Months
ALL OTHER
REVIEWED BY SDA DATE 7-18-96
#20

ZONING DESCRIPTION FOR 404 Katherine Avenue, Baltimore, MD 21221

Beginning at a point on the Southeast side of a twenty-five foot wide avenue known as Katherine Avenue and at the intersection of lots numbered fifteen and sixteen and running thence Southwesterly of said avenue sixty feet to the division of lots sixteen and seventeen Being lot # 16 as recorded in Baltimore County Plat Book # 6, Folio # 177, containing approximately 10,800 square feet or .25 acres. Located in the 15th election district and the 5th councilmanic district.

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Ordinance of the County, will hold a public hearing on the proposed Variance from the Zoning Ordinance of the County, to be held at the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland, on August 24, 1995 at 8:00 A.M. in Room 118, Old Courthouse, 500 Washington Avenue, Towson, Maryland 21204 as follows:
Case #96-23-A, 1st
404 Katherine Avenue, Lot 15, Plat Book 6, Folio 177, 15th Election District
5th Councilmanic District
Legal Owner(s):
Daniel D. Goral and
Kimberly R. Bleakley
Hearing Thursday,
August 24, 1995 at 8:00 A.M. in Room 118, Old Courthouse, 500 Washington Avenue, Towson, Maryland 21204 as follows.
Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, in lieu of the allowed 1 recreational vehicle and 1 boat.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (Hearings are held on Tuesdays, Wednesdays, Thursdays, Fridays, and Saturdays. Please Call 887-3391 for more information concerning the hearing. Please Call 887-3391, Aug. 2, 1995.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug. 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON
Publisher

#20

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 7-18-95 ACCOUNT: 96-23-A 003644
DANIEL GORAL
404 KATHERINE AVE.
BALTIMORE, MD 21221

AMOUNT: \$ 85.00

RECEIVED FROM: Mr. Goral
810 88C 1 RES. 50
FOR: 1 SIGN. 855

DATE: 7-18-95
BAL. COUNTY 229407-18-95 885.00

VALIDATION OR SIGNATURE OF CASHIER

TO: PAYMENT PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:
Daniel Goral
404 Katherine Avenue
Baltimore, MD 21221
574-5322

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)
404 Katherine Avenue
S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177
11th Election District - 25th Councilmanic
Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-23-A (Item 20)
404 Katherine Avenue
S/S Katherine Avenue, Lot 16, Plat Book 6, Folio 177
11th Election District - 25th Councilmanic
Legal Owner(s): Daniel D. Goral and Kimberly R. Bleakley
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow 2 boats with trailers, one catamaran, all over 16 feet long and 1 pop-up camper, to be stored in the rear of the property, on land, in lieu of the allowed 1 recreational vehicle and 1 boat.

Arnold Jablon
Director
Department of Permits and Development Management

cc: Daniel Goral and Kimberly Bleakley

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204 887-3610

August 9, 1995

Mr. Daniel D. Goral
Ms. Kimberly R. Bleakley
404 Katherine Avenue
Baltimore, Maryland 21221

RE: Item No.: 20
Case No.: 96-23-A
Petitioner: Goral/Bleakley

Dear Mr. Goral:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: August 7, 1995
FROM: Pat Keller, Director, OPE
SUBJECT: 404 Katherine Avenue

INFORMATION:
Item Number: 20
Petitioner: Goral/Bleakley Property
Property Size: _____
Zoning: DR-3.5
Requested Action: Variance
Hearing Date: 7/1

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to allow more than one recreational vehicle to be stored on the subject property.

A site visit revealed a very well maintained residential property that appears to be able to accommodate the four recreational vehicles proposed for storage. While staff believes it would be appropriate to grant the variances based on the above-mentioned site visit, it is possible that Katherine Avenue residents could have a different perspective based upon daily and seasonal observation. Provided that no substantive objections are raised, this office recommends that the applicant's request be granted.

Prepared by: Jeffrey M. Long
Division Chief: _____
PK/JL

ITEM20/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director DATE: August 1, 1995
Zoning Administration and Development Management
FROM: J. Lawrence Pilson, Jr.
Development Coordinator, DEPRM
SUBJECT: Zoning Item #20 - Goral Property
404 Katherine Avenue
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Storage of recreational vehicles is not regulated under Chesapeake Bay Critical Area regulations.

JLP:PF:sp
GORAL/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:aw

Baltimore County Government Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500 (410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and Development Management
Baltimore County, Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

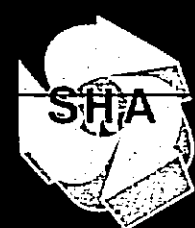
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED
AUG 1 1995
ZADM



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 026 (JKA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2293 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS
AGENDA OF JULY 31, 1995

#18 -- JJS/MJK

1. Receipt not given to petitioner; still in folder.

#20 -- JRA

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

#23 -- CAM

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

#24 -- JLL

1. Folder says RC-5; petition says RC-4. Which is correct?

#25 -- JCM

1. Notary section is incorrect.

#26 -- CAM

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

RE: PETITION FOR VARIANCE
404 Katherine Avenue, S/S Katherine Ave.,
Lot 16, Plat Book 6, Folio 177, 11th
11th Election District, 5th Councilmanic
Daniel D. Goral and Kimberly R. Bleakley
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-23-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

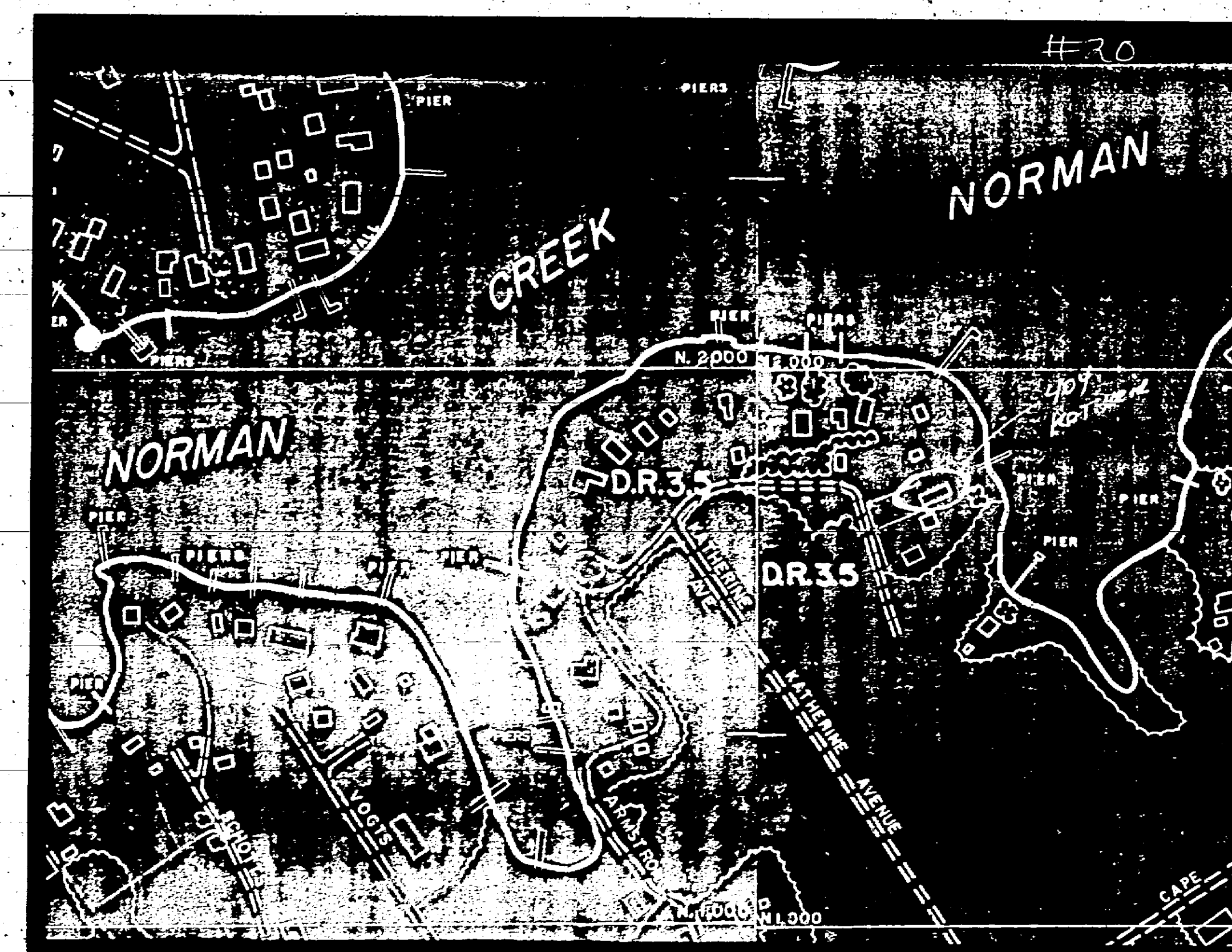
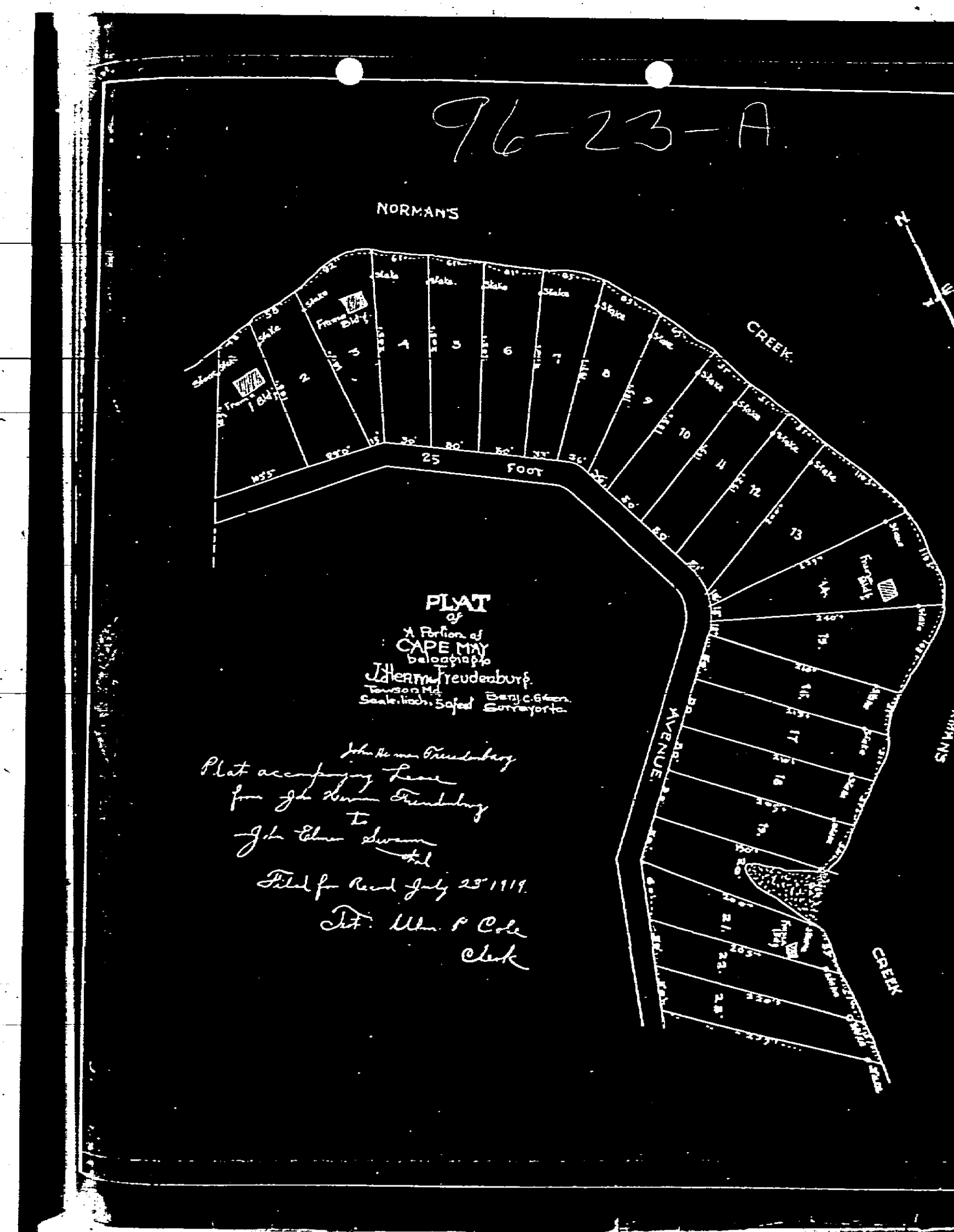
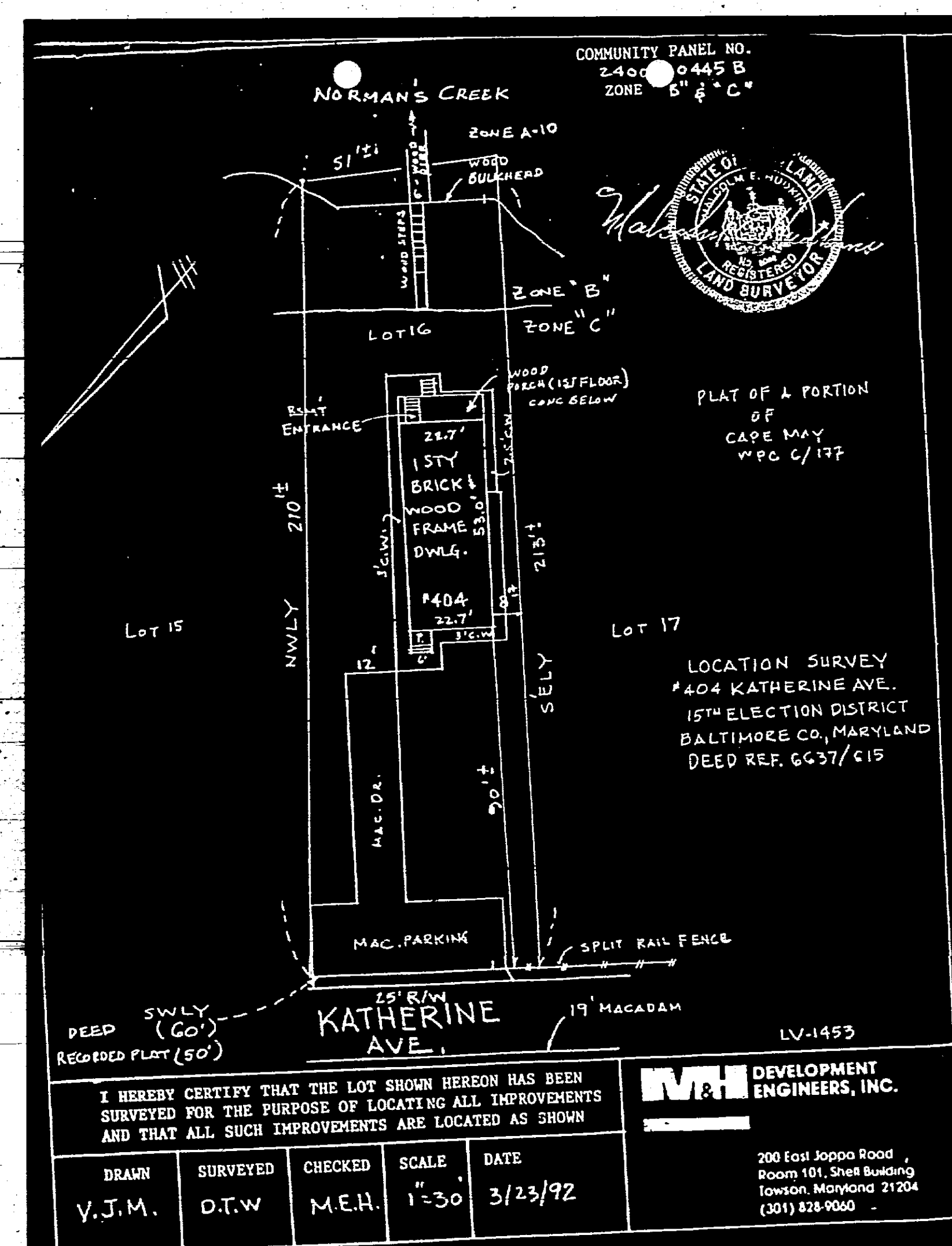
Carol S. Demilio
CAROL S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Daniel D. Goral and Kimberly R. Bleakley, 404 Katherine Avenue, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY



12

Plat to accompany Petition for Zoning ☒ VARIANCE ☐ SPECIAL HEARING

Property Address: 4104 KATHERINE AVENUE

Subdivision Name: CAPE MAY

Plat Book: 6, Folio 177

OWNER: DANIEL D. GORAL
KIMBERLY R. BLEATLEY

96-23-A

NORMAN CREEK

LOT # 16

LOT # 13, 14, 15

ARLHOBLO + DYCE
FENNELL

100'

150'

KATHERINE AVENUE

DEAD END

SCALE: 1" = 50'

DATE: 7/14/95

PREPARED BY: D. GORAL

PETITIONER'S EXHIBIT NO. 1

VICINITY MAP

SCALE: 1" = 1,000'

LOCATION INFORMATION

COUNCILMANIC DIST. 514

ELECTION DIST. 1115

1" = 200' SCALE MAP

NE I-3

ZONING DR. 3.5

LOT SIZE:

10,800 SQ. FT.

.25 ACRES

SEWER: PUBLIC

WATER: PUBLIC

C.B.C.A. YES

PRIOR ZONING HEARING:

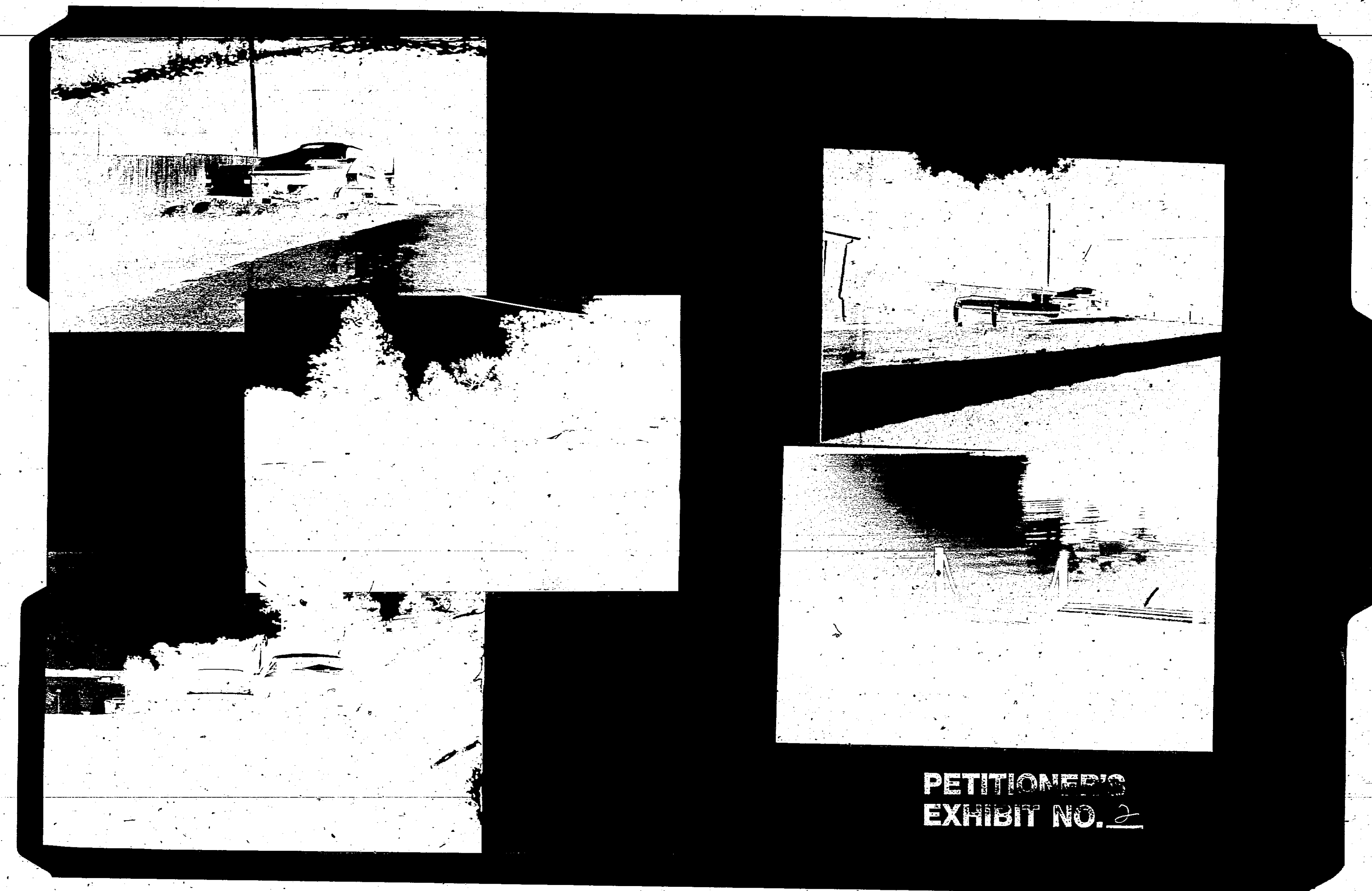
NONE

ZONING OFFICE USE ONLY

REVIEWED BY: JTH

DATE: 7/20/95

CASE #



We, the undersigned residents of Katherine Avenue, Baltimore County Maryland, do hereby give testimony that we are neighbors of Daniel D. Goral and Kimberly R. Bleatley and do not object to the storage of more than one boat/ R.V. We further acknowledge that the maximum items stored at any time will not exceed two boats, one camper, and a seventeen foot catamaran.

Signed: Archer Fennell

Archer Fennell Date:

406 Katherine Avenue

Baltimore, Maryland 21221

Signed: Mary Filer

Mary Filer Date:

356 Katherine Avenue

Baltimore, Maryland 21221

Signed: Rodney McMillion

Rodney McMillion Date:

408 Katherine Avenue

Baltimore, Maryland 21221

Signed: Philip H. H. H.

Philip H. H. H. Date:

410 Katherine Avenue

Baltimore, Maryland 21221

Signed: Joseph Canatella

Joseph Canatella Date: 7/22/95

412 Katherine Avenue

Baltimore, Maryland 21221

PETITIONER'S EXHIBIT NO. 3